

Red Hook Town Board Meeting

Tuesday, October 12, 2021 7:30 P.M.
Red Hook Town Hall
7340 South Broadway
Red Hook, NY 12571

Supervisor Robert McKeon

Councilmember Bill Hamel

Councilmember Christine Kane

Councilmember William O'Neill

Councilmember Jacob Testa

Town Clerk Deanna Cochran

Highway Superintendent Theresa Burke

Attorney Christine Chale

PLEDGE OF ALLEGIANCE TO THE FLAG

SUPERVISOR'S REPORT

CLERK'S REPORT

ANNOUNCEMENTS:

Public Hearings: 7:35pm Local Law D – Microhydro Facilities

7:45pm Sawkill Trail

7:55pm Local Law E – Cannabis Opt - Out

PUBLIC COMMENT PERIOD – 15 minutes

AGENDA FOR MEETING

- 1. Local Law D – Microhydro Facilities**
- 2. Sawkill Trail Project**
- 3. Local Law E – Cannabis Opt-Out**
- 4. Tradition – Public Easements / Fee Schedule**
- 5. Water Operator Contract Renewal**
- 6. Reorganization**
- 7. Resolution to Set Public Hearing – Community Development Block Grant Program**

TOWN OF RED HOOK MONTHLY STATEMENT OF THE SUPERVISOR page 1 of 3

September 30, 2021

To the Town Board of the Town of Red Hook pursuant to section 119 of the Town Law, I hereby tender the following detailed statement of all monies received and disbursed by the Supervisor during the month.

Fund/Account	Opening Balance	Receipts	Disbursed	Balance
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M&T PAYROLL ACCOUNT

T&A Payroll Gen A 101	35,418.12	100,002.05	50,194.28	85,225.89
T&A Payroll Gen B 101	45,043.96	0.00	12,454.37	32,589.59
T&A Payroll H'Way DB 101	157,568.96	0.00	24,512.36	133,056.60
T&A Payroll SW WW O&M 101	<u>37,755.87</u>	<u>0.00</u>	<u>1,432.22</u>	<u>36,323.65</u>
M&T T&A Payroll totals	275,786.91	100,002.05	88,593.23	287,195.73

M&T CONSOLIDATED ACCOUNT

General A 0102	571,277.76	23,952.28	44,660.35	550,569.69
Fed Aid ARPA 0102.1	414,973.12	0.00	0.00	414,973.12
General B 0102	525,284.31	27,352.22	31,709.68	520,926.85
CM C'munity Pres 0102	9,265.20	0.08	0.00	9,265.28
DB H'Way Outside 0102	21,806.56	504,286.88	292,503.59	233,589.85
HW Rec.Land	2.35	0.00	0.00	2.35
HZ Campus Improve	3,800.43	0.00	0.00	3,800.43
SF Fire portion 0102	74,380.59	0.66	0.00	74,381.25
SL Lighting 0102	29,012.47	0.26	535.28	28,477.45
SW Water portion 0102	<u>8,818.35</u>	<u>50,000.08</u>	<u>10,318.37</u>	<u>48,500.06</u>
Consolidated totals	1,658,621.14	605,592.46	379,727.27	1,884,486.33

M&T MASTER ACCOUNT

General A Fund 204	635,457.43	6.90	100,000.00	535,464.33
Rec League Fees Funds 206	937.38	0.00	0.00	937.38
St Margarets Donations/TK Bench 207	3,306.84	0.04	0.00	3,306.88
UNEMPLOYMENT A 0210	22,440.56	0.29	0.00	22,440.85
Parklands A 212	936.59	0.00	0.00	936.59
General B Fund 204	30,838.65	0.40	0.00	30,839.05
Donations for Trees 206	3,568.33	0.05	0.00	3,568.38
CM Community Preservation 204	0.00	0.00	0.00	0.00
Zoning Incentive CM 230	0.00	0.00	0.00	0.00
Highway DB 204	640,932.62	1.83	500,000.00	140,934.45
Highway UI Trust 0210.100	25,727.89	0.33	0.00	25,728.22
HT Cap H'Way Equipment 204	123.79	0.00	0.00	123.79
HW Cap Rec Park West 204	0.01	0.00	0.00	0.01
HZ Cap Campus Improv 204	195.76	0.00	0.00	195.76
SF Fire 204	25,379.90	0.33	0.00	25,380.23
SL Lighting 204	25,386.39	0.33	0.00	25,386.72
SW Water 204	72,912.25	0.30	50,000.00	22,912.55
Master M&T Totals	1,488,144.39	10.80	650,000.00	838,155.19

Fund/Account	Opening Balance	Receipts	Disbursed	Balance
Water SW MMkt 201	38,547.45	1,555.43	0.00	40,102.88
Reconstruction 0452	14,252.40	0.12	0.00	14,252.52
Transmission 0453	<u>42,397.95</u>	<u>0.35</u>	<u>0.00</u>	<u>42,398.30</u>
Water Reserve Greene	56,650.35	0.47	0.00	56,650.82
Reconstruction 0455	387,496.34	7.98	0.00	387,504.32
Transmission 0456	<u>255,201.66</u>	<u>5.26</u>	<u>0.00</u>	<u>255,206.92</u>
Water Reserve NYClass	642,698.00	13.24	0.00	642,711.24
NYCLASS MASTER ACCOUNT				
General A Fund 0103	38,988.86	0.81	0.00	38,989.67
UNEMPLOYMENT A 0210.1	0.00	0.00	0.00	0.00
General B Fund 0203	608,049.15	12.57	0.00	608,061.72
CM Community Pres.0203	259,427.90	5.36	0.00	259,433.26
Zoning Incentive CM 0231	224,946.71	4.65	0.00	224,951.36
Highway DB 0203	182,087.18	3.76	0.00	182,090.94
UNEMPLOYMENT DB 210	0.00	0.00	0.00	0.00
HS Recycling Paving Project 203	25,289.17	0.52	0.00	25,289.69
HW Cap Rec Park West 203	0.00	0.00	0.00	0.00
HZ Campus Improv.203	149,566.86	3.09	0.00	149,569.95
SF Fire 0203	178,986.29	3.70	0.00	<u>178,989.99</u>
Master NYClass Totals	1,667,342.12	34.46	0.00	1,667,376.58
Cemetery Funds 0203	22,887.86	800.19	0.00	23,688.05
Cemetery Trust PN 0215	<u>77,609.98</u>	<u>0.64</u>	<u>0.00</u>	<u>77,610.62</u>
Cemetery Totals:	100,497.84	800.83	0.00	101,298.67
HRA General A 0202	5,396.35	0.00	1.52	5,394.83
HRA General B 0202	0.00	0.00	0.00	0.00
HRA Highway DB 0202	<u>6,903.56</u>	<u>0.00</u>	<u>1,079.18</u>	<u>5,824.38</u>
HRA totals	12,299.91	0.00	1,080.70	11,219.21
* Greene (CPF Funds) Master	2,122,468.61	67,121.30	0.00	2,189,589.91

TOWN OF RED HOOK MONTHLY STATEMENT OF THE SUPERVISOR page 3 of 3

Fund/Account	Opening Balance	Receipts	Disbursed	Balance
Engineering (B 0210)	101,008.02	21,714.82	8,831.80	113,891.04
AA*AT & T Wireless CellTower Slot 4	130.22	Sieverding		1,000.00
AA*Sprint Wireless CellTower slot 3	2,755.00	Working Hound/Maisonnier		446.00
7 Pines(Robert Wise/LeGrand)	337.14	ZBA -Kanuk.Jones/Mighty Donuts		477.50
Anderson Commons	2,817.04	ZBA - Grieg Farm Variance		601.00
BARD- all projects	1,885.62	ZBA-Grieg Farm Interpretation		(214.00)
Bear Garage	(34.63)	ZBA - Heermance Wind Power		(1,980.13)
BIE SubDiv	(29.02)	ZBA - Snyder-Ro-Lin Lanes		374.00
BldgDept-BARD	5,793.50	ZBA - Tampone 17-07		242.50
Hamnaford	723.00	ZBA -WOH Tampone 18-01		(504.25)
Hoffman Engineering (OPR)	11,244.24	UTILBond.BARD Street Light Upgrade		41,097.91
Hoffman TND Kirchoff	1,455.63	zzBOND Tompkins (Feller-Newmark)		2,500.00
Jennings	1,000.00	zzBOND Dvosburgh (Blue Echo)		2,500.00
Kasselman Solar/Neville	480.62	zzBOND Gardner (Echo Valley Rd)		2,500.00
Legare/O Zone	200.00	zzBOND Cortesi-Echo Valley Rd		2,500.00
MacDonald	319.86	zzBond Goudarzi (Budds)		2,500.00
Merrihew	218.62	zzBond Hamann.Willets Rd		2,500.00
Mightly Donuts/Kanuk.Jones	(292.56)	zzBond K.French		2,500.00
Nieuwenhuizen	277.73	zzBOND Madsen/Costello/Stratten		2,500.00
Panorama School House	(34.63)	zzBond Schulman (Willets)		2,500.00
Preserve @ Lakeskill	834.05	zzBOND Schultz (Rockfeller Lane)		2,500.00
Rhinebeck Aerodrome/FreemanHoward	1,250.00	ZZBond.Calcagni.Norton Rd		2,500.00
Rhinebeck Party Rentals	(230.51)	Zzbond-Jutton.Wholesback		2,500.00
Ruella - Minor SubDiv	169.00	ZZBond.Price.Albie Rd		2,500.00
Sabroso Restaurant	(12.79)	ZZBond-Clark.Sycamore		2,500.00
Schultz Cottage	398.88	ZZBond-Nieuwenhuizen		2,500.00
Siebens Lindholm	688.37	zzBOND-Sperry c/o Bond		2,500.00
	Opening Balance	Receipts	Disbursed	Balance
Sub Totals:	\$8,164,064.74	\$796,845.86	\$1,128,233.00	\$7,832,677.60
Less Account Transfers		\$0.00	\$0.00	
Grand Totals:	\$8,164,064.74	\$796,845.86	\$1,128,233.00	\$7,832,677.60

The above is a true and correct accounting of the balances shown in the books of the Town of Red Hook at the close of business

September 30, 2021

Robert P. McKeon, Town Supervisor

TOWN OF RED HOOK CASH FLOW ANALYSIS											
2021	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Totals
Revenue	40,238	2,447,421	852,682	248,045	114,779	335,635	285,815	99,553	122,402	-	4,546,570
A	5,563	1,283,025	60,365	62,869	6,298	235,978	12,098	9,841	22,827	-	1,698,864
B	9,098	13,094	200,756	108,027	26,748	25,304	128,300	19,475	27,370	-	558,172
CM	147	69,081	58,148	66,749	79,789	39,013	106,906	68,439	67,127	-	555,399
DB	381	1,082,166	7,839	10,359	1,927	2,395	23,950	1,772	4,292	-	1,135,080
H	25,007	9	9	3	7	6	14,541	6	766	-	40,355
SF	9	10	463,773	11	10	8	5	4	5	-	463,835
SL	1	0	30,126	1	-	1	-	1	-	-	30,131
SW	32	36	31,666	26	-	32,930	15	15	15	-	64,735
Total:	40,238	2,447,421	852,682	248,045	114,779	335,635	285,815	99,553	122,402	-	4,546,570
4,546,570											
2021	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Totals
Expenditures											
A	132,499	76,180	89,269	113,184	86,392	335,779	124,828	102,964	92,920	-	1,154,015
B	11,781	47,903	60,375	19,073	37,522	49,297	38,346	65,473	44,169	-	373,939
CM	-	-	252	1,197	347	686	42	1,526	-	-	4,050
DB	161,758	77,054	78,154	66,285	49,025	64,516	85,982	41,259	317,016	-	941,049
H	-	-	-	-	6,906	906	31,726	-	-	-	39,538
SF	1,336	-	-	155,743	77,806	155,855	-	-	-	-	390,740
SL	-	823	218	564	539	493	467	524	536	-	4,164
SW	1,586	9,210	9,722	8,338	5,109	7,656	8,702	6,427	11,750	-	68,500
Total:	308,960	211,170	237,990	364,384	263,646	615,188	290,093	218,173	466,391	-	2,975,995
2,975,995											
2021	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Totals
Revenue	40,238	2,447,421	852,682	248,045	114,779	335,635	285,815	99,553	122,402	-	4,546,570
Expenditures	308,960	211,170	237,990	364,384	263,646	615,188	290,093	218,173	466,391	-	2,975,995
Rev. less Expense	(268,722)	2,236,251	614,692	(116,339)	(148,867)	(279,553)	(4,278)	(118,620)	(343,989)	-	1,570,575
1,570,575											
2021	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Totals
revenue notes:											
AIM											-
CHIPS											-
Franchise Tax											80,700
Mortgage Tax			80,700			201,082					201,082
PILOT		5,339	2,417								7,756
Sales Tax			174,343	90,123			93,410				357,876
Taxes	-	2,337,248	393,891			18,911					2,750,050
RHSCD			7,500						7,500		15,000
Fire WC Rebate											-

TOWN BOARD APPROVED BUDGET ADJUSTMENTS

Prior to closing Sept 2021

In the General A Fund:

Reduce Revenues:

0

0

Total Reduce Revenues:

0

Increase Revenues:

797 A0.02.2681 Insurance Awards/Rebates

800 A0.02.2192 Cemetery Svc Charges

Total Increase Revenues:

1,597

Reduce Appropriations:

1,203 A0.03.1990.400 Contingency

0

Total Reduce Appropriations:

1,203

Increase Appropriations:

800 A0.03.1910.400 Insurance Premiums

2,000 A0.08.7140.401 Rec Park Maintenance*

*for dug-outs RecParkWest

Total Increase Appropriations:

2,800

Offset to the Fund Balance

0

Reduce

Appropriate

Appropriated

Fund Balance

Fund Balance

0

2,800

2,800

TOWN BOARD APPROVED BUDGET ADJUSTMENTS

Prior to closing Sept 2021

In "Other Funds" and Capital Projects

Reduce Revenues:

0 .

0 .

Increase Revenues:

0 .

0 .

Total Reduce Revenues:

0

Total Increase Revenues:

0

Reduce Appropriations:

0 .

0 .

Total Reduce Appropriations:

0

Increase Appropriations:

80,000 SW.09.8320.201 Facilities Improvements

0 *for Well ReHab Project*

0 .

Total Increase Appropriations:

80,000

Offsets:

Reduce

	Appropriate	Reduce
	Fund Balance	Appropriated
	Fund Balance	Fund Balance

CD Comm.Dev. Block Grants

0

0

CM Community Preservation:

0

0

HA Rec Park Playground

0

0

HR Culvert Project

0

0

HS Recycling Paving

0

0

HT Hwy Equipment

0

0

HW Rec Lands

0

0

HZ Campus Improvement

0

0

SF Fire Protection:

0

0

SL Street Lighting:

0

0

SW Water Works O&M:

80,000

0

0

80,000

80,000

185,966

185,966

TOWN BOARD APPROVED BUDGET ADJUSTMENTS

Prior to closing Sept 2021

In the General B Fund:

Reduce Revenues:

0

Total Reduce Revenues:

0

Increase Revenues:

300

B0.02.1603 Vital Statistic Fees

20,500

200

B0.02.2111 ZBA & PB Mailings

2,000

B0.02.2115 Planning Board Fees

12,000

B0.02.2555 Building Permits

800

B0.02.2650 Sale of Scrap Metal

5,000

B0.02.2654 Garbage Collection Fee

200

B0.02.2656 Removal of Freon

Reduce Appropriations:

0

Total Reduce Appropriations:

0

Increase Appropriations:

20,200

B0.03.1990.400 Contingency

20,500

300

B0.05.4020.400 Registrar of Vital Statistics

Total Increase Appropriations:

Offset to the Fund Balance

Reduce

Appropriate

Appropriated

Fund Balance

Fund Balance

0

0

20,500

20,500

In the Highway DB Fund:

Reduce Revenues:

500

DB.02.2189.2 Retiree RF

0

Total Reduce Revenues:

500

Increase Revenues:

0

Total Increase Revenues:

500

500

DB.02.2210 Billable-Other Funds

Reduce Appropriations:

0

Total Reduce Appropriations:

0

0

Increase Appropriations:

Total Increase Appropriations:

2,166

DB.06.5010.400 Professional Fees (ATTY)

2,166

0

0

0

0

Offset to the Fund Balance

Reduce

Appropriate

Appropriated

Fund Balance

Fund Balance

2,166

0

0

2,666

2,666

Actual & Budgeted Expenses & Encumbrance

Report Sequence/Account Number

Account: First thru Last

Report Period: January 2021 thru September 2021

Level Of Detail: Account Number

Account Filter:###.###.###.###

Account Number	Account Description	Original Budget	Adjustment	Current Year Budgeted	Current Year Expenditure	Encumbrances	Balance Remaining
General Fund (A0)							
A0.03.1010.100	Town Board - Payroll	35,160.00	0.00	35,160.00	26,371.08	0.00	8,788.92
A0.03.1010.101	PT Secy Town Board	2,652.00	0.00	2,652.00	374.00	0.00	2,278.00
A0.03.1010.400	Town Board - General	5,000.00	0.00	5,000.00	40.00	0.00	4,960.00
A0.03.1110.100	Justice - Payroll	36,152.00	0.00	36,152.00	27,113.22	0.00	9,038.78
A0.03.1110.102	Court Clerk PR NR	45,864.00	(22,720.00)	23,144.00	14,382.32	0.00	8,761.68
A0.03.1110.103	Court Clerk PR KF	0.00	23,144.00	23,144.00	15,141.74	0.00	8,002.26
A0.03.1110.104	Court Clerk - new	0.00	0.00	0.00	0.00	0.00	0.00
A0.03.1110.400	Justice - General	17,000.00	0.00	17,000.00	7,161.71	3.82	9,834.47
A0.03.1110.401	State Aid Court Facilities	0.00	0.00	0.00	0.00	0.00	0.00
A0.03.1110.404	DC Grant-Shared Courts	0.00	13,014.00	13,014.00	12,922.17	0.00	91.83
A0.03.1220.100	Supervisor - Payroll	31,310.00	0.00	31,310.00	23,482.35	0.00	7,827.65
A0.03.1220.101	Deputy Supervisor - Payroll	0.00	0.00	0.00	0.00	0.00	0.00
A0.03.1220.102	Sec to the Supervisor pr	15,470.00	0.00	15,470.00	7,844.50	0.00	7,625.50
A0.03.1220.103	Bookkeeper pr	56,860.00	0.00	56,860.00	41,551.48	0.00	15,308.52
A0.03.1220.104	Grants Administrator	9,493.00	0.00	9,493.00	6,936.90	0.00	2,556.10
A0.03.1220.105	Personnel Administrator	0.00	4,800.00	4,800.00	3,507.78	0.00	1,292.22
A0.03.1220.400	Supervisor - General	5,000.00	0.00	5,000.00	2,326.12	0.00	2,673.88
A0.03.1320.400	Independent Auditing	5,000.00	0.00	5,000.00	3,500.00	0.00	1,500.00
A0.03.1330.100	Tax Collection - Payroll	10,070.00	0.00	10,070.00	7,358.89	0.00	2,711.11
A0.03.1330.101	Tax Collection Deputy pr	5,033.00	(5,033.00)	0.00	0.00	0.00	0.00
A0.03.1330.400	Tax Collection - General	5,320.00	0.00	5,320.00	1,920.52	0.00	3,399.48
A0.03.1340.100	Budget - Payroll	8,430.00	0.00	8,430.00	6,322.50	0.00	2,107.50
A0.03.1345.100	Purchasing - Payroll	7,072.00	0.00	7,072.00	0.00	0.00	7,072.00
A0.03.1345.400	Purchasing - General	800.00	0.00	800.00	1.66	0.00	798.34
A0.03.1355.100	Assessor - Payroll	47,794.00	441.00	48,235.00	35,110.22	0.00	13,124.78
A0.03.1355.101	Deputy Assessor P/R	7,902.00	157.00	8,059.00	5,324.34	0.00	2,734.66
A0.03.1355.401	Assessor - General	3,000.00	0.00	3,000.00	2,453.14	0.00	546.86
A0.03.1355.403	Assessor - Data Collection	0.00	0.00	0.00	0.00	0.00	0.00
A0.03.1410.100	Town Clerk - Payroll	56,515.00	0.00	56,515.00	41,299.54	0.00	15,215.46
A0.03.1410.101	Town Clerk CLERICAL pr	21,929.00	6,281.00	28,210.00	19,739.50	0.00	8,470.50
A0.03.1410.400	Town Clerk - General	5,500.00	(1,300.00)	4,200.00	2,021.76	0.00	2,178.24
A0.03.1420.400	Attorney - General	45,000.00	0.00	45,000.00	30,000.00	0.00	15,000.00
A0.03.1420.401	Attorney Other Legal	15,000.00	0.00	15,000.00	9,728.85	0.00	5,271.15
A0.03.1420.402	Attorney - Special Prosecutor	5,000.00	0.00	5,000.00	2,150.00	0.00	2,850.00
A0.03.1430.101	Clerical - Payroll	0.00	0.00	0.00	0.00	0.00	0.00
A0.03.1430.400	Clerical - General	1,691.00	1,300.00	2,991.00	2,944.56	0.00	46.44
A0.03.1440.400	Engineer - General	2,500.00	0.00	2,500.00	2,500.00	0.00	0.00
A0.03.1470.100	Ethics Comm Payroll	0.00	0.00	0.00	0.00	0.00	0.00
A0.03.1470.400	Ethics Comm General	75.00	0.00	75.00	0.00	0.00	75.00
A0.03.1620.100	Buildings - Payroll	2,000.00	50.00	2,050.00	1,683.12	0.00	366.88
A0.03.1620.104	pr St Margarets Grounds & Bid	3,000.00	75.00	3,075.00	479.69	0.00	2,595.31
A0.03.1620.200	Buildings - Equipment	10,000.00	0.00	10,000.00	552.75	0.00	9,447.25
A0.03.1620.402	Buildings - Utilities	24,000.00	0.00	24,000.00	17,192.54	0.00	6,807.46
A0.03.1620.404	Bldings - Grounds & Town Hall	16,000.00	0.00	16,000.00	5,714.43	0.00	10,285.57

Actual & Budgeted Expenses & Encumbrance

Account Number	Account Description	Original Budget	Adjustment	Current Year Budgeted	Current Year Expenditure	Encumbrances	Balance Remaining
General Fund (A0)							
A0.03.1620.406	Bldings - Cleaning	12,000.00	0.00	12,000.00	6,725.00	0.00	5,275.00
A0.03.1620.413	St Margaret's General Expenses	3,000.00	0.00	3,000.00	807.79	0.00	2,192.21
A0.03.1660.400	Supplies	9,500.00	0.00	9,500.00	3,905.46	167.78	5,426.76
A0.03.1670.400	General Printing Expenses	5,000.00	0.00	5,000.00	767.04	0.00	4,232.96
A0.03.1670.401	Photocopy Machines	3,000.00	0.00	3,000.00	2,804.23	0.00	195.77
A0.03.1670.402	Town Board Local Laws	10,000.00	0.00	10,000.00	143.96	0.00	9,856.04
A0.03.1680.200	Computer Equipment	9,000.00	(5,000.00)	4,000.00	1,928.38	1,217.49	854.13
A0.03.1680.408	Computer Expenses	15,000.00	5,000.00	20,000.00	17,797.16	0.00	2,202.84
A0.03.1680.409	Website Upgrade	4,150.00	208.00	4,358.00	4,357.50	0.00	0.50
A0.03.1910.400	Insurance Premiums	41,000.00	800.00	41,800.00	41,797.75	0.00	2.25
A0.03.1929.400	Municipal Association Dues	1,200.00	0.00	1,200.00	1,200.00	0.00	0.00
A0.03.1990.400	Contingent Account	13,500.00	92,527.00	106,027.00	0.00	0.00	106,027.00
A0.04.3510.100	Dog Park Grounds-Payroll	1,762.00	75.00	1,837.00	960.26	0.00	876.74
A0.04.3510.400	Dog Control - DCASPCA	11,000.00	0.00	11,000.00	7,210.00	0.00	3,790.00
A0.04.3510.401	Dog Park General Maintenance	1,238.00	0.00	1,238.00	0.00	0.00	1,238.00
A0.06.5010.100	Supt of Highways - Payroll	66,373.00	0.00	66,373.00	48,503.58	0.00	17,869.42
A0.06.5010.101	Supt of Highways - Clerical	5,304.00	2,090.00	7,394.00	4,328.75	0.00	3,065.25
A0.06.5010.400	Supt of Highways - General	1,300.00	0.00	1,300.00	272.50	358.00	669.50
A0.06.5132.200	Garage - Equipment	8,000.00	0.00	8,000.00	4,579.16	0.00	3,420.84
A0.06.5132.400	Garage - General	17,500.00	0.00	17,500.00	13,612.18	270.48	3,617.34
A0.06.5132.432	Garage - Utilities	23,000.00	0.00	23,000.00	18,515.56	0.00	4,484.44
A0.06.5989.400	Trails Committee	4,000.00	0.00	4,000.00	547.99	0.00	3,452.01
A0.06.5989.401	DEC EVCS Rebate Program	400.00	0.00	400.00	0.00	0.00	400.00
A0.06.5989.402	Grant-NYSERDA Clean Energy	0.00	52,287.00	52,287.00	0.00	0.00	52,287.00
A0.06.5989.403	G'way Grant-VII to VII Trails	0.00	174.00	174.00	0.00	0.00	174.00
A0.07.6010.400	Community Action Donation	8,000.00	0.00	8,000.00	8,000.00	0.00	0.00
A0.08.7140.100	Rec Park - Groundskeepers	52,068.00	2,644.00	54,712.00	34,936.15	0.00	19,775.85
A0.08.7140.103	Rec Special Project p/r	4,086.00	102.00	4,188.00	2,597.12	0.00	1,590.88
A0.08.7140.203	GRANT Greenway/Winnakee	0.00	0.00	0.00	0.00	0.00	0.00
A0.08.7140.208	Rec Park - Equipment	17,500.00	24,000.00	41,500.00	869.42	32,585.93	8,044.65
A0.08.7140.400	Rec Park - Garage	2,500.00	0.00	2,500.00	1,999.98	49.99	450.03
A0.08.7140.401	Rec Park - Maintenance	15,000.00	2,200.00	17,200.00	10,431.99	2,267.91	4,500.10
A0.08.7140.402	Rec Park - Misc & Utilities	7,500.00	0.00	7,500.00	6,937.78	0.00	562.22
A0.08.7140.403	Band Concert St.Margarets	200.00	(200.00)	0.00	0.00	0.00	0.00
A0.08.7140.404	Rec Park Engineering	2,000.00	0.00	2,000.00	1,500.00	0.00	500.00
A0.08.7140.405	GRANT-Rec.Park Bathroom Update	0.00	0.00	0.00	0.00	0.00	0.00
A0.08.7145.100	Rec Summer Payroll	35,910.00	1,010.00	36,920.00	36,919.11	0.00	0.89
A0.08.7145.101	Rec Park Director	32,483.00	650.00	33,133.00	23,862.41	0.00	9,270.59
A0.08.7145.400	Summer Recreation Programs	5,000.00	(10.00)	4,990.00	4,543.16	0.00	446.84
A0.08.7145.401	Tivoli Park Capital Donation	0.00	0.00	0.00	0.00	0.00	0.00
A0.08.7145.404	Conflict Resolution Peer Media	1,000.00	0.00	1,000.00	0.00	0.00	1,000.00
A0.08.7145.406	T Ball Tees	2,300.00	0.00	2,300.00	0.00	0.00	2,300.00
A0.08.7410.400	Red Hook Library	0.00	2,500.00	2,500.00	2,500.00	0.00	0.00
A0.08.7550.422	Hardscrabble,	3,000.00	0.00	3,000.00	0.00	0.00	3,000.00
A0.08.7550.423	Red Hook Veterans	1,750.00	0.00	1,750.00	1,750.00	0.00	0.00
A0.08.7550.424	Tivoli Veterans	175.00	175.00	350.00	350.00	0.00	0.00
A0.08.7620.424	Red Hook Senior Citizens	6,000.00	0.00	6,000.00	0.00	0.00	6,000.00
A0.08.7620.425	Community Ctr-Programs	12,800.00	0.00	12,800.00	7,466.68	0.00	5,333.32
A0.08.7620.426	Senior Picnic	750.00	0.00	750.00	0.00	0.00	750.00
A0.08.8810.100	Cemetery-Groundskeepers	15,858.00	535.00	16,393.00	10,091.63	0.00	6,301.37
A0.08.8810.101	Cemetery- Manager	3,121.00	31.00	3,152.00	2,292.95	0.00	859.05

Actual & Budgeted Expenses & Encumbrance

Account Number	Account Description	Original Budget	Adjustment	Current Year Budgeted	Current Year Expenditure	Encumbrances	Balance Remaining
General Fund (A0)							
A0.08.8810.102	Cemetery-Clerk	2,497.00	0.00	2,497.00	1,824.76	0.00	672.24
A0.08.8810.103	Cemetery-Asst Clerk	1,248.00	(1,248.00)	0.00	0.00	0.00	0.00
A0.08.8810.200	Cemetery Equipment	10,000.00	(900.00)	9,100.00	3,988.81	5,119.19	12.00
A0.08.8810.400	Cemetery General	2,000.00	0.00	2,000.00	1,915.15	0.00	84.85
A0.10.9010.800	State Retirement	71,627.00	0.00	71,627.00	0.00	0.00	71,627.00
A0.10.9030.800	Social Security	38,871.00	451.00	39,322.00	27,725.76	0.00	11,596.24
A0.10.9035.800	Employer Medicare	9,102.00	106.00	9,208.00	6,484.45	0.00	2,723.55
A0.10.9040.800	Workers Compensation	5,408.00	95.00	5,503.00	5,125.69	0.00	377.31
A0.10.9050.800	Unemployment Insurance	2,500.00	0.00	2,500.00	0.00	0.00	2,500.00
A0.10.9055.800	Disability Insurance	604.00	0.00	604.00	158.62	0.00	445.38
A0.10.9056.800	Employee Asst Program	0.00	139.00	139.00	138.64	0.00	0.36
A0.10.9060.800	Hospital & Medical Insurance	73,400.00	0.00	73,400.00	57,481.40	0.00	15,918.60
A0.10.9060.802	Ross-Medical Insurance	0.00	0.00	0.00	0.00	0.00	0.00
A0.10.9060.803	Retiree-Med Ins. WH	4,583.00	0.00	4,583.00	3,936.30	0.00	646.70
A0.10.9060.804	Medical Ins. KH	556.00	0.00	556.00	463.30	0.00	92.70
A0.10.9060.805	Retiree Medical-SM	1,058.00	0.00	1,058.00	0.00	0.00	1,058.00
A0.10.9060.806	Retiree-Med Ins. DC	4,575.00	0.00	4,575.00	4,002.57	0.00	572.43
A0.10.9060.807	Employee Premiums	4,028.00	0.00	4,028.00	0.00	0.00	4,028.00
A0.10.9060.808	Deductibles	16,380.00	0.00	16,380.00	15,762.95	0.00	617.05
A0.10.9720.703	Int BOND Rec/PDR	40,294.00	0.00	40,294.00	20,621.88	0.00	19,672.12
A0.10.9720.704	Int BOND GARAGE	43,350.00	0.00	43,350.00	9,801.37	0.00	33,548.63
A0.10.9720.705	Int BOND - Campus Improvement	5,297.00	188.00	5,485.00	2,845.00	0.00	2,640.00
A0.10.9720.706	Int BOND-Tennis Courts	5,460.00	0.00	5,460.00	0.00	0.00	5,460.00
A0.10.9720.707	Int BOND-Rec.Park Annex	39,730.00	(375.00)	39,355.00	20,410.00	0.00	18,945.00
A0.10.9730.603	Prin BOND Rec/PDR	95,000.00	0.00	95,000.00	95,000.00	0.00	0.00
A0.10.9730.604	Prin BOND GARAGE	85,000.00	0.00	85,000.00	0.00	0.00	85,000.00
A0.10.9730.605	Prin BOND-Campus Improvement	13,158.00	0.00	13,158.00	13,158.00	0.00	0.00
A0.10.9730.606	Prin BOND-Tennis Courts	15,500.00	0.00	15,500.00	0.00	0.00	15,500.00
A0.10.9730.607	Prin BOND-Rec.Park Annex	98,684.00	0.00	98,684.00	98,684.00	0.00	0.00
A0.10.9950.901	Trans to Cap Project-Rec.Park	0.00	39,540.00	39,540.00	39,540.00	0.00	0.00
General Fund (A0) Totals		1,753,730.00	240,003.00	1,993,733.00	1,154,014.66	42,040.59	797,677.75
General Town Outside (B0)							
B0.03.1440.400	Engineer - General	10,000.00	0.00	10,000.00	2,935.60	0.00	7,064.40
B0.03.1910.400	Insurance Premiums	21,000.00	0.00	21,000.00	17,651.87	0.00	3,348.13
B0.03.1990.400	Contingent Account	19,652.00	153,611.00	173,263.00	0.00	0.00	173,263.00
B0.04.3120.400	Police - General	0.00	0.00	0.00	0.00	0.00	0.00
B0.04.3120.401	Police - Crossing Guard	1,500.00	0.00	1,500.00	1,500.00	0.00	0.00
B0.04.3120.403	Red Hook Police Protection	80,000.00	0.00	80,000.00	46,669.00	0.00	33,331.00
B0.04.3120.404	Police coverage BARD	2,500.00	0.00	2,500.00	508.16	0.00	1,991.84
B0.04.3120.405	Police - mileage	4,500.00	0.00	4,500.00	1,920.00	0.00	2,580.00
B0.04.3120.406	Police - Court Officers	17,000.00	0.00	17,000.00	1,296.00	0.00	15,704.00
B0.04.3310.400	Traffic Control Street Signs	2,500.00	658.00	3,158.00	2,805.50	0.00	352.50
B0.04.3310.402	Hannaford Street Stripping	1,500.00	0.00	1,500.00	0.00	0.00	1,500.00
B0.04.3620.100	Code Enforcement/pt	22,724.00	296.00	23,020.00	13,295.25	0.00	9,724.75
B0.04.3620.101	Bldg Inspector - pt Secretary	2,963.00	0.00	2,963.00	1,996.50	0.00	966.50
B0.04.3620.102	Bldg Inspectors PR	50,310.00	487.00	50,797.00	39,185.40	0.00	11,611.60
B0.04.3620.400	Building Inspector - General	4,000.00	0.00	4,000.00	2,301.13	180.98	1,517.89
B0.04.3620.401	Building Inspector - Vehicle	3,500.00	0.00	3,500.00	1,262.81	0.00	2,237.19
B0.04.3620.411	Shared Services Municipity	3,500.00	0.00	3,500.00	200.00	0.00	3,300.00

Actual & Budgeted Expenses & Encumbrance

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Account Number	Account Description	Original Budget	Adjustment	Current Year Budgeted	Current Year Expenditure	Encumbrances	Balance Remaining
General Town Outside (B0)							
B0.04.3640.101	Disaster Prep - Payroll	0.00	0.00	0.00	0.00	0.00	0.00
B0.04.3640.400	Disaster Prep - General	350.00	400.00	750.00	702.00	0.00	48.00
B0.05.4020.400	Regis Vital Statistics - Gen	2,500.00	300.00	2,800.00	380.00	0.00	2,420.00
B0.06.5182.400	General Street Lighting	20,000.00	0.00	20,000.00	2,576.53	0.00	17,423.47
B0.06.5182.401	Street Light Upgrade Project	0.00	0.00	0.00	0.00	0.00	0.00
B0.06.5410.400	Sidewalks - General	16,000.00	0.00	16,000.00	14,650.00	0.00	1,350.00
B0.09.8010.102	Zoning payroll ZBA	6,152.00	246.00	6,398.00	447.21	0.00	5,950.79
B0.09.8010.104	Ag & Open Space pr	1,200.00	0.00	1,200.00	0.00	0.00	1,200.00
B0.09.8010.105	Zoning Review Sec pt	0.00	0.00	0.00	0.00	0.00	0.00
B0.09.8010.400	Attorney/Consultant Services	15,000.00	0.00	15,000.00	14,630.69	0.00	369.31
B0.09.8010.401	Zoning Code Revisions	18,000.00	0.00	18,000.00	771.88	0.00	17,228.12
B0.09.8010.402	Zoning - ZBA	3,500.00	0.00	3,500.00	665.56	0.00	2,834.44
B0.09.8010.403	Ag & Open Space	211.00	0.00	211.00	0.00	0.00	211.00
B0.09.8010.405	Zoning - Maps & publications	4,000.00	0.00	4,000.00	80.69	0.00	3,919.31
B0.09.8020.101	Planning - Payroll	13,977.00	460.00	14,437.00	11,648.73	0.00	2,788.27
B0.09.8020.104	Sr Services payroll	1,091.00	47.00	1,138.00	0.00	0.00	1,138.00
B0.09.8020.400	Planning - Contract	20,000.00	0.00	20,000.00	3,684.20	0.00	16,315.80
B0.09.8020.401	Planning - Engineering T&A	110,000.00	0.00	110,000.00	61,891.29	0.00	48,108.71
B0.09.8020.402	Senior Services Committee	500.00	0.00	500.00	0.94	0.00	499.06
B0.09.8020.403	Intermunicipa Task Force	500.00	0.00	500.00	339.63	0.00	160.37
B0.09.8020.404	Economic Development	1,500.00	0.00	1,500.00	765.20	0.00	734.80
B0.09.8020.409	Muni-Innovation Grant	446.00	0.00	446.00	0.00	0.00	446.00
B0.09.8020.410	Municipal Solar Farm Project	0.00	0.00	0.00	0.00	0.00	0.00
B0.09.8020.412	DOS Grant-Local Waterfront	0.00	20,981.00	20,981.00	525.00	0.00	20,456.00
B0.09.8020.414	G'way Grant-Complete Street	0.00	8,565.00	8,565.00	0.00	0.00	8,565.00
B0.09.8090.100	Conservation - Payroll	1,091.00	22.00	1,113.00	0.00	0.00	1,113.00
B0.09.8090.102	Tree Pres Commission payroll	1,091.00	15.00	1,106.00	337.06	0.00	768.94
B0.09.8090.400	Conservation - General	1,000.00	0.00	1,000.00	62.75	0.00	937.25
B0.09.8090.402	Trees & Rural Road Program	2,000.00	0.00	2,000.00	518.78	0.00	1,481.22
B0.09.8160.100	Recycling - Payroll	37,164.00	741.00	37,905.00	30,609.91	0.00	7,295.09
B0.09.8160.401	Recycling - General	49,000.00	0.00	49,000.00	41,608.56	0.00	7,391.44
B0.09.8160.402	Refuse - Clean-up	250.00	550.00	800.00	780.77	0.00	19.23
B0.09.8989.400	Public Access (PANDA)	22,000.00	0.00	22,000.00	20,412.00	0.00	1,588.00
B0.09.8989.401	PANDA-additional tapings	1,200.00	0.00	1,200.00	0.00	0.00	1,200.00
B0.10.9010.800	State Retirement	10,865.00	0.00	10,865.00	0.00	0.00	10,865.00
B0.10.9030.800	Social Security	8,541.00	143.00	8,684.00	5,988.60	0.00	2,695.40
B0.10.9035.800	Employer Medicare	1,998.00	34.00	2,032.00	1,400.65	0.00	631.35
B0.10.9040.800	Workers Compensation	805.00	39.00	844.00	396.00	0.00	448.00
B0.10.9050.800	UnEmployment Insurance	0.00	0.00	0.00	0.00	0.00	0.00
B0.10.9055.800	Disability Insurance	197.00	0.00	197.00	52.92	0.00	144.08
B0.10.9056.800	Employee Asst Program	0.00	11.00	11.00	0.00	0.00	0.29
B0.10.9060.800	Hospital & Medical Ins	2,565.00	0.00	2,565.00	2,473.52	0.00	91.48
B0.10.9060.801	deductibles	0.00	0.00	0.00	0.00	0.00	0.00
B0.10.9060.808	Vision Ins. KF	280.00	0.00	280.00	232.60	0.00	47.40
B0.10.9060.809	Vision Ins. AR	375.00	0.00	375.00	312.00	0.00	63.00
B0.10.9901.900	Transfer to Highway Fund	18,455.00	3,000.00	21,455.00	21,455.00	0.00	0.00
B0.10.9901.901	Transfer to HR-Hwy Culverts	0.00	0.00	0.00	0.00	0.00	0.00
General Town Outside (B0) Totals		640,953.00	190,606.00	831,559.00	373,938.60	180.98	457,439.42

CDBG (CD)

Actual & Budgeted Expenses & Encumbrance

Account Number	Account Description	Original Budget	Adjustment	Current Year Budgeted	Current Year Expenditure	Encumbrances	Balance Remaining
CDBG (CD)							
CD.09.8662.201	2017 Challenger Field Constr.	0.00	0.00	0.00	0.00	0.00	0.00
CD.09.8662.202	Rec.Park ADA Improvements	0.00	0.00	0.00	0.00	0.00	0.00
CDBG (CD) Totals		0.00	0.00	0.00	0.00	0.00	0.00
Community Preservation (CM)							
CM.03.1989.200	Oth Gen Govt Support Capital	0.00	0.00	0.00	1,176.00	0.00	(1,176.00)
CM.03.1989.400	Oth Gen Gov Support Contr Exp	0.00	0.00	0.00	2,874.20	0.00	(2,874.20)
Community Preservation (CM) Totals		0.00	0.00	0.00	4,050.20	0.00	(4,050.20)
Highway Town Outside (DB)							
DB.03.1420.400	Attorney-Labor Counsel	4,000.00	(4,000.00)	0.00	0.00	0.00	0.00
DB.04.1440.400	Engineer	0.00	0.00	0.00	0.00	0.00	0.00
DB.06.5010.400	Professional Svcs (Eng/Atty)	0.00	17,166.00	17,166.00	15,249.00	0.00	1,917.00
DB.06.5110.100	Road Repairs - Payroll	6,707.00	0.00	6,707.00	6,662.40	0.00	44.60
DB.06.5110.101	Deputy Superintendent	3,540.00	0.00	3,540.00	2,536.31	0.00	1,003.69
DB.06.5110.401	Road Repairs - Patch	23,000.00	0.00	23,000.00	2,211.27	14,026.33	6,762.40
DB.06.5110.402	Road Repairs - Materials	15,000.00	0.00	15,000.00	4,220.13	579.99	10,199.88
DB.06.5110.404	Road Repairs - Misc/Civlt Pipe	12,000.00	0.00	12,000.00	5,510.59	0.00	6,489.41
DB.06.5112.400	Road Improvements - Major	80,000.00	0.00	80,000.00	76,921.29	3,078.71	0.00
DB.06.5112.401	Road Improvements - CHIPS	104,310.00	90,063.00	194,373.00	103,538.54	35,493.80	55,340.66
DB.06.5112.402	Road Improvements-PAVE NY	23,822.00	26,809.00	50,631.00	50,630.96	0.00	0.04
DB.06.5112.403	Road Improvements-EVR	19,654.00	23,066.00	42,710.00	42,709.77	0.00	0.23
DB.06.5130.201	Machinery - Equipment	15,000.00	0.00	15,000.00	860.00	860.00	13,280.00
DB.06.5130.202	Shared Services CHIPPER	255.00	(93.00)	162.00	7.89	0.00	154.11
DB.06.5130.203	Shared Svcs-Mini Excavator	0.00	93.00	93.00	92.33	0.00	0.67
DB.06.5130.204	Machinery-Toyota Hybrid	250.00	0.00	250.00	0.00	0.00	250.00
DB.06.5130.400	Machinery - Wing Blades	5,000.00	0.00	5,000.00	0.00	0.00	5,000.00
DB.06.5130.401	Machinery - Parts & Labor	40,000.00	0.00	40,000.00	26,532.73	0.00	13,467.27
DB.06.5130.402	Machinery - Tires	4,000.00	0.00	4,000.00	3,793.92	0.00	206.08
DB.06.5130.403	Machinery - Diesel	28,000.00	0.00	28,000.00	16,619.48	2,759.91	8,620.61
DB.06.5130.404	Machinery - Gasoline	12,000.00	0.00	12,000.00	10,598.12	0.00	1,401.88
DB.06.5130.405	Machinery - Lubricants	3,000.00	0.00	3,000.00	2,025.93	0.00	974.07
DB.06.5130.406	Machinery - Misc/Radios	900.00	0.00	900.00	261.00	247.50	391.50
DB.06.5130.407	Machinery - Small Tools	1,000.00	0.00	1,000.00	0.00	0.00	1,000.00
DB.06.5140.100	Brush Control - Payroll	121,269.00	0.00	121,269.00	120,680.80	0.00	588.20
DB.06.5140.400	Brush Control - General	8,000.00	0.00	8,000.00	69.98	0.00	7,930.02
DB.06.5140.401	Brush Control - Uniforms	4,462.00	0.00	4,462.00	2,851.93	0.00	1,610.07
DB.06.5142.100	Snow Removal - Payroll	162,622.00	0.00	162,622.00	84,885.77	0.00	77,736.23
DB.06.5142.101	Snow Removal - O/T	40,505.00	0.00	40,505.00	21,230.76	0.00	19,274.24
DB.06.5142.401	Snow Removal - Sand	10,000.00	0.00	10,000.00	0.00	0.00	10,000.00
DB.06.5142.402	Snow Removal - Salt	90,000.00	0.00	90,000.00	47,545.48	0.00	42,454.52
DB.06.5142.404	Snow Removal - Liquid De-Icer	20,000.00	0.00	20,000.00	4,388.80	0.00	5,611.20
DB.06.5142.405	Shared Svcs/Temp Help SNOW	10,000.00	(8,000.00)	12,000.00	165.26	0.00	11,834.74
DB.10.9010.800	State Retirement	65,370.00	0.00	65,370.00	0.00	0.00	65,370.00
DB.10.9030.800	Social Security	20,748.00	0.00	20,748.00	14,487.10	0.00	6,260.90
DB.10.9035.800	Employer Medicare	4,852.00	0.00	4,852.00	3,388.27	0.00	1,463.73
DB.10.9040.800	Workers Compensation	28,558.00	0.00	28,558.00	25,907.66	0.00	2,650.34
DB.10.9050.800	Unemployment Insurance	0.00	0.00	0.00	0.00	0.00	0.00
DB.10.9055.800	Disability Insurance	935.00	0.00	935.00	238.06	0.00	696.94
DB.10.9056.800	Employee Asst Program	0.00	701.00	701.00	700.65	0.00	0.35

Account Number	Account Description	Original Budget	Adjustment	Current Year Budgeted	Current Year Expenditure	Encumbrances	Balance Remaining
Highway Town Outside (DB)							
DB.10.9060.800	Hospital & Medical Insurance	145,800.00	6,004.00	151,804.00	120,387.40	0.00	31,416.60
DB.10.9060.801	deductibles	35,100.00	0.00	35,100.00	23,540.94	0.00	11,559.06
DB.10.9060.802	Retiree Med Ins RF	4,720.00	0.00	4,720.00	1,054.88	0.00	3,665.12
DB.10.9060.803	Retiree Med Ins. VC	4,035.00	0.00	4,035.00	3,416.57	0.00	618.43
DB.10.9060.804	Retiree Med. Ins. TL	2,800.00	0.00	2,800.00	2,370.00	0.00	430.00
DB.10.9720.600	Bond - Principal	93,706.00	0.00	93,706.00	73,528.51	0.00	20,177.49
DB.10.9720.700	Bond - Interest	4,856.00	(298.00)	4,558.00	3,225.76	0.00	1,332.24
DB.10.9730.600	PRIN-Culvert Bond	13,158.00	466.00	13,624.00	13,158.00	0.00	466.00
DB.10.9730.700	INT-Culvert Bond	5,297.00	188.00	5,485.00	2,845.00	0.00	2,640.00
Highway Town Outside (DB) Totals		1,298,231.00	152,155.00	1,450,386.00	941,049.24	57,046.24	452,290.52
Rec Park Playground (HA)							
HA.08.7140.200	Rec Park Playground Equip	0.00	0.00	0.00	0.00	0.00	0.00
Rec Park Playground (HA) Totals		0.00	0.00	0.00	0.00	0.00	0.00
Cap Proj HWY Culverts (HR)							
HR.03.1440.400	Culvert Engineering	0.00	0.00	0.00	0.00	0.00	0.00
HR.06.5110.404	Culvert Replacement	0.00	0.00	0.00	0.00	0.00	0.00
HR.10.9710.700	Interest on Serial Bond	0.00	0.00	0.00	0.00	0.00	0.00
Cap Proj HWY Culverts (HR) Totals		0.00	0.00	0.00	0.00	0.00	0.00
Recreation Land Project (HW)							
HW.03.1440.400	Rec Project Engineering	0.00	0.00	0.00	0.00	0.00	0.00
HW.08.7140.201	Recreation Land Project	0.00	0.00	0.00	0.00	0.00	0.00
HW.08.7140.202	Rec.Park Security Systems	0.00	39,540.00	39,540.00	39,537.65	0.00	2.35
HW.08.7140.203	Grant.Gway/Winnakee Trail	0.00	0.00	0.00	0.00	0.00	0.00
HW.08.7140.405	Grant.DCMIG ADA Restrooms	0.00	0.00	0.00	0.00	0.00	0.00
HW.10.9710.700	Interest on Serial Bond	0.00	0.00	0.00	0.00	0.00	0.00
Recreation Land Project (HW) Totals		0.00	39,540.00	39,540.00	39,537.65	0.00	2.35
Cap Res Town Hall Bldg (HZ)							
HZ.03.1620.201	Campus Improvements	0.00	0.00	0.00	0.00	0.00	0.00
HZ.10.9710.700	Interest on Serial Bond	0.00	0.00	0.00	0.00	0.00	0.00
Cap Res Town Hall Bldg (HZ) Totals		0.00	0.00	0.00	0.00	0.00	0.00
Fire (SF)							
SF.04.3410.400	Red Hook Contract	289,709.00	0.00	289,709.00	289,709.00	0.00	0.00
SF.04.3410.401	Tivoli Contract	77,807.00	0.00	77,807.00	77,806.62	0.00	0.38
SF.04.3410.410	Red Hook Contract PLUS	18,000.00	0.00	18,000.00	0.00	0.00	18,000.00
SF.04.3410.411	Tivoli Contract PLUS	1,100.00	0.00	1,100.00	888.40	0.00	211.60
SF.04.3410.412	Tivoli Fire Capital	16,000.00	0.00	16,000.00	10,000.00	0.00	6,000.00
SF.10.9025.800	Red Hook Pension Fund	15,000.00	0.00	15,000.00	0.00	0.00	15,000.00
SF.10.9025.801	Tivoli Pension Fund	11,000.00	0.00	11,000.00	11,000.00	0.00	0.00
SF.10.9040.800	Workers Compensation	41,500.00	0.00	41,500.00	1,335.75	0.00	40,164.25
Fire (SF) Totals		470,116.00	0.00	470,116.00	390,739.77	0.00	79,376.23

Account Number	Account Description	Original Budget	Adjustment	Current Year Budgeted	Current Year Expenditure	Encumbrances	Balance Remaining
Consolidated Lighting (SL)							
SL 06.5182.400	Street Lighting	30,200.00	0.00	30,200.00	4,163.59	0.00	26,036.41
Consolidated Lighting (SL) Totals		30,200.00	0.00	30,200.00	4,163.59	0.00	26,036.41
Water Works 0 & M (SW)							
SW.03.1990.400	Contingent	3,510.00	(191.00)	3,319.00	0.00	0.00	3,319.00
SW.09.8310.101	Payroll - Clerical	15,808.00	177.00	15,985.00	10,155.48	0.00	5,829.52
SW.09.8310.102	Water Rents Collector - P/R	4,120.00	0.00	4,120.00	3,010.55	0.00	1,109.45
SW.09.8310.400	Data Processing	5,320.00	0.00	5,320.00	1,607.50	0.00	3,712.50
SW.09.8310.401	Operator - Contract	28,000.00	0.00	28,000.00	14,712.20	0.00	13,287.80
SW.09.8310.402	Water Billings & Reading	4,000.00	0.00	4,000.00	2,377.50	0.00	1,622.50
SW.09.8310.403	Water Board	1,000.00	0.00	1,000.00	289.00	0.00	711.00
SW.09.8310.404	Water Dept. - Management	5,000.00	0.00	5,000.00	4,127.00	0.00	873.00
SW.09.8310.405	Rokeby Water Reliev	0.00	0.00	0.00	0.00	0.00	0.00
SW.09.8310.410	Postage	1,500.00	1,000.00	2,500.00	1,069.83	0.00	1,430.17
SW.09.8310.411	Office Supplies	500.00	0.00	500.00	231.27	0.00	268.73
SW.09.8320.200	Hydrants/Valves Install	10,000.00	(7,000.00)	3,000.00	472.50	0.00	2,527.50
SW.09.8320.201	Facilities Improvement	13,000.00	80,000.00	93,000.00	9,905.12	10,761.00	72,333.88
SW.09.8320.402	Utilities	10,000.00	0.00	10,000.00	5,790.98	0.00	4,209.02
SW.09.8320.403	Gen Maint Source of Supply	5,900.00	0.00	5,900.00	197.08	1,226.60	4,476.32
SW.09.8330.407	Chemicals	1,000.00	1,000.00	2,000.00	948.43	0.00	1,051.57
SW.09.8330.408	Lab Testing	1,500.00	7,000.00	8,500.00	3,998.00	0.00	4,502.00
SW.09.8340.200	Water Meters	3,000.00	(2,000.00)	1,000.00	0.00	0.00	1,000.00
SW.09.8340.201	Equipment Replacement	3,000.00	0.00	3,000.00	2,785.90	0.00	214.10
SW.09.8340.403	Gen Maint Trans & Distribution	7,900.00	0.00	7,900.00	5,828.82	0.00	2,071.18
SW.10.9030.800	Social Security	1,236.00	11.00	1,247.00	804.82	0.00	442.18
SW.10.9035.800	Employer Medicare	288.00	3.00	291.00	188.22	0.00	102.78
Water Works 0 & M (SW) Totals		125,582.00	80,000.00	205,582.00	68,500.20	11,987.60	125,094.20
Debt Service (V0)							
V0.03.1380.400	Fiscal Agent Fees	0.00	0.00	0.00	0.00	0.00	0.00
V0.10.9710.600	Debt Principal Serial Bonds	0.00	0.00	0.00	0.00	0.00	0.00
V0.10.9710.700	Debt Interest Serial Bonds	0.00	0.00	0.00	0.00	0.00	0.00
Debt Service (V0) Totals		0.00	0.00	0.00	0.00	0.00	0.00
Totals Consolidated Funds		4,318,812.00	702,304.00	5,021,116.00	2,975,993.91	111,255.41	1,933,866.68

Actual & Anticipated Revenues

Report Sequence: Account Number

Account: First thru Last

Report Period: January 2021 thru September 2021

Level Of Detail: Account Number

Account Filter=##.##.###.###.###

Account Number	Account Description	Current Year Budgeted	Supplemental	Transfers	Net Working Budget	Current Year Ytd Revenues	Balance Remaining
General Fund (A0)							
A0.02.1001.000	Real Property Taxes	1,257,733.00	0.00	0.00	1,257,733.00	1,257,733.00	0.00
A0.02.1081.000	PILOT: OHPmts in Lieu of Taxes	5,351.00	0.00	0.00	5,351.00	5,339.32	11.68
A0.02.1090.000	Int & Penalties Real Prop Tax	17,000.00	1,920.00	0.00	18,920.00	18,910.94	9.06
A0.02.1170.000	Franchises	80,500.00	0.00	0.00	80,500.00	7,733.55	72,766.45
A0.02.1255.000	Clerk Fees	500.00	500.00	0.00	1,000.00	750.80	249.20
A0.02.2002.000	Parklands (Rec.Fees)	0.00	22,000.00	0.00	22,000.00	22,000.00	0.00
A0.02.2003.000	T Ball	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00
A0.02.2089.000	Recreation League fees	2,400.00	0.00	0.00	2,400.00	625.00	1,775.00
A0.02.2189.300	Retiree Medical-WF	945.00	0.00	0.00	945.00	724.87	220.13
A0.02.2189.400	Medical Ins. KH	556.00	0.00	0.00	556.00	416.97	139.03
A0.02.2189.500	Retiree Med. Ins. SM	794.00	0.00	0.00	794.00	793.62	0.38
A0.02.2189.600	Retiree Med Ins. DC	1,089.00	0.00	0.00	1,089.00	924.17	164.83
A0.02.2189.700	EE Portion-Medical Insurance	5,056.00	0.00	0.00	5,056.00	3,334.54	1,721.46
A0.02.2189.903	Gifts and Donations	0.00	2,500.00	0.00	2,500.00	2,500.00	0.00
A0.02.2190.000	Sale of Cemetery Plots	1,200.00	1,400.00	0.00	2,600.00	2,400.00	200.00
A0.02.2192.000	Cemetery Svcs Charge	1,800.00	900.00	0.00	2,700.00	2,650.00	50.00
A0.02.2210.000	RHCS Gen Serv Oth Govts	15,000.00	0.00	0.00	15,000.00	15,000.00	0.00
A0.02.2212.100	EV Charging Stations-Electric	400.00	0.00	0.00	400.00	0.00	400.00
A0.02.2213.000	Gway Grant-Vil to Vil Trail	0.00	2,894.00	0.00	2,894.00	2,892.65	1.35
A0.02.2402.000	Interest Earnings	1,500.00	0.00	0.00	1,500.00	178.25	1,321.75
A0.02.2409.000	CELL other rental fees	6,800.00	460.00	0.00	7,260.00	7,252.65	7.35
A0.02.2411.000	Verizon Wireless	26,136.00	0.00	0.00	26,136.00	19,166.64	6,969.36
A0.02.2412.000	Sprint Nextel	26,136.00	0.00	0.00	26,136.00	21,562.47	4,573.53
A0.02.2413.000	AT&T Hfr Cingular	36,480.00	0.00	0.00	36,480.00	30,489.39	5,990.61
A0.02.2501.000	Business Licenses	90.00	0.00	0.00	90.00	40.00	50.00
A0.02.2544.000	Dog Licenses	5,000.00	0.00	0.00	5,000.00	3,989.00	1,011.00
A0.02.2592.000	Permits - Location Fees	0.00	2,500.00	0.00	2,500.00	2,500.00	0.00
A0.02.2610.000	Fines & Forfeited Bail	34,000.00	0.00	0.00	34,000.00	13,633.00	20,367.00
A0.02.2655.000	Minor Sales Other	100.00	0.00	0.00	100.00	64.92	35.08
A0.02.2681.000	NYMIR Capital Distribution	0.00	1,297.00	0.00	1,297.00	1,297.00	0.00
A0.02.2772.000	Refund of expenditure	0.00	5,491.00	0.00	5,491.00	5,490.52	0.48
A0.02.2779.000	Senior Picnic Donations	600.00	0.00	0.00	600.00	0.00	600.00
A0.02.3001.000	State Aid - AIM payment	26,564.00	0.00	0.00	26,564.00	0.00	26,564.00
A0.02.3005.000	State Aid - Mortgage Tax	192,000.00	109,000.00	0.00	301,000.00	201,082.09	99,917.91
A0.02.3022.000	DC Grant-Shared Courts	0.00	19,500.00	0.00	19,500.00	16,750.00	2,750.00
A0.02.3082.000	Grant-NYSERDA Clean Energy	0.00	63,000.00	0.00	63,000.00	24,000.00	39,000.00
A0.02.3082.100	CWSSI-CountyWide ShrdCourts	0.00	5,486.00	0.00	5,486.00	5,485.30	0.70
A0.02.3082.200	Winnakee Trail Grant	0.00	1,155.00	0.00	1,155.00	1,153.57	1.43
A0.02.3820.000	State Aid - Youth	5,000.00	0.00	0.00	5,000.00	0.00	5,000.00
A0.02.3821.000	Conflict Resolution Peer Media	1,000.00	0.00	0.00	1,000.00	0.00	1,000.00
General Fund (A0) Totals		1,753,730.00	240,003.00	0.00	1,993,733.00	1,698,864.23	294,868.77

General Town Outside

Actual & Anticipated Revenues

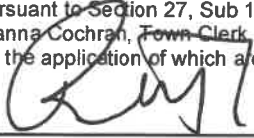
Account Number	Account Description	Current Year Budgeted	Supplemental	Transfers	Net Working Budget	Current Year Ytd Revenues	Balance Remaining
General Town Outside							
B0.02.1120.000	Sales Tax Dist.bty County	365,000.00	0.00	0.00	365,000.00	183,533.71	181,466.29
B0.02.1121.000	Sales Tax Growth Factor	70,000.00	104,343.00	0.00	174,343.00	174,343.07	(0.07)
B0.02.1561.000	Certificates of Occupancy	11,708.00	0.00	0.00	11,708.00	11,300.00	408.00
B0.02.1562.000	Deposit time-lapsed CO fees	1,000.00	6,500.00	0.00	7,500.00	6,500.00	1,000.00
B0.02.1563.000	Fire & Safety Inspections	750.00	0.00	0.00	750.00	100.00	650.00
B0.02.1603.000	Vital Statistics Fees	1,500.00	300.00	0.00	1,800.00	1,690.00	110.00
B0.02.2087.000	G'way Grant-Complete Streets	0.00	10,000.00	0.00	10,000.00	0.00	10,000.00
B0.02.2110.000	Zoning Fees	1,500.00	0.00	0.00	1,500.00	1,300.00	200.00
B0.02.2111.000	ZBA & Planning mailings	800.00	700.00	0.00	1,500.00	1,407.29	92.71
B0.02.2115.000	Planning Board Fees	4,000.00	2,500.00	0.00	6,500.00	6,350.00	150.00
B0.02.2116.000	Certificate of Appropriateness	500.00	0.00	0.00	500.00	250.00	250.00
B0.02.2189.000	Oth Home & Comm: Eng Revenues	110,000.00	0.00	0.00	110,000.00	60,589.29	49,410.71
B0.02.2189.800	Vision Ins. KF	280.00	0.00	0.00	280.00	225.32	54.68
B0.02.2189.801	Vision Ins. AR	375.00	0.00	0.00	375.00	29.99	345.01
B0.02.2189.802	Retiree Medical SC	936.00	0.00	0.00	936.00	673.13	262.87
B0.02.2210.000	General Svcs-Other Govts	0.00	575.00	0.00	575.00	575.00	0.00
B0.02.2402.000	Interest Earnings	1,000.00	0.00	0.00	1,000.00	239.27	760.73
B0.02.2555.000	Building Permits	40,000.00	0.00	0.00	40,000.00	68,207.70	3,792.30
B0.02.2650.000	Sale of Scrap Materials	2,500.00	2,800.00	0.00	5,300.00	5,061.40	238.60
B0.02.2654.000	Garbage Collection Fees	26,000.00	11,000.00	0.00	37,000.00	34,466.00	2,534.00
B0.02.2656.000	Removal of Freelon	254.00	250.00	0.00	504.00	405.00	99.00
B0.02.2701.000	Refund of Prior Yrs Expendit's	0.00	300.00	0.00	300.00	300.00	0.00
B0.02.2773.000	BARD Police coverage	2,500.00	0.00	0.00	2,500.00	508.16	1,991.84
B0.02.2779.000	Donations for TREES	350.00	0.00	0.00	350.00	118.00	232.00
B0.02.3084.000	Grant-NYS DOS LWRP	0.00	19,338.00	0.00	19,338.00	0.00	19,338.00
General Town Outside (B0) Totals		640,953.00	190,606.00	0.00	831,559.00	558,172.33	273,386.67
Community Preservation							
CM.02.1189.000	Other Non-Property Tax	0.00	0.00	0.00	0.00	553,822.00	(553,822.00)
CM.02.2402.000	Interest and Earnings	0.00	0.00	0.00	0.00	1,576.86	(1,576.86)
Community Preservation (CM) Totals		0.00	0.00	0.00	0.00	555,398.86	(555,398.86)
Highway Town Outside							
DB.02.1001.000	Real Property Taxes	1,079,515.00	0.00	0.00	1,079,515.00	1,079,515.00	0.00
DB.02.2189.200	Retiree Med. Ins.RF	1,100.00	(500.00)	0.00	600.00	0.00	600.00
DB.02.2189.300	Retiree Med.Ins. VC	1,000.00	0.00	0.00	1,000.00	818.25	181.75
DB.02.2189.400	Retiree Med.Ins. TL	575.00	0.00	0.00	575.00	470.33	104.67
DB.02.2189.600	RS-Retiree Portion-Medical	0.00	2,600.00	0.00	2,600.00	2,067.08	532.92
DB.02.2189.700	EE Portion-Medical	0.00	4,105.00	0.00	4,105.00	2,040.08	2,064.92
DB.02.2210.000	Billable Services Other Funds	2,000.00	1,156.00	0.00	3,156.00	2,798.59	357.41
DB.02.2300.000	Highway Serv Other Governments	40,000.00	(300.00)	0.00	39,700.00	25,030.81	14,669.19
DB.02.2300.110	Fuel Surcharges	1,200.00	0.00	0.00	1,200.00	751.29	448.71
DB.02.2302.000	Shared Services CHIPPER	300.00	0.00	0.00	300.00	0.00	300.00
DB.02.2402.000	Interest Earnings	1,300.00	0.00	0.00	1,300.00	133.55	1,166.45
DB.02.2775.000	Gifts and Donations	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00
DB.02.2777.000	From Unemployment Reserve	3,000.00	0.00	0.00	3,000.00	0.00	3,000.00
DB.02.3501.000	Consolidated Highway Aid	147,786.00	139,928.00	0.00	287,714.00	0.00	287,714.00
DB.02.5031.000	Transfer From Other Funds	18,455.00	3,000.00	0.00	21,455.00	21,455.00	0.00

Account Number	Account Description	Current Year Budgeted	Supplemental	Transfers	Net Working Budget	Current Year Ytd Revenues	Balance Remaining
Highway Town Outside (DB) Totals							
		1,298,231.00	149,989.00	0.00	1,448,220.00	1,135,079.98	313,140.02
Recycling Paving Project							
HS.02.2402.000	Interest Earnings	0.00	0.00	0.00	0.00	7.69	(7.69)
Recycling Paving Project (HS) Totals							
		0.00	0.00	0.00	0.00	7.69	(7.69)
Recreation Land Project							
HW.02.5031.000	Inter Fund Transfer	0.00	39,540.00	0.00	39,540.00	39,540.00	0.00
Recreation Land Project (HW) Totals							
		0.00	39,540.00	0.00	39,540.00	39,540.00	0.00
Cap Res Town Hall Bldg							
HZ.02.2402.000	Interest Earnings	0.00	0.00	0.00	0.00	45.55	(45.55)
Cap Res Town Hall Bldg (HZ) Totals							
		0.00	0.00	0.00	0.00	45.55	(45.55)
Fire (SF)							
SF.02.1001.000	Taxes Red Hook Fire	463,766.00	0.00	0.00	463,766.00	463,766.00	0.00
SF.02.2402.000	Interest Earnings	250.00	0.00	0.00	250.00	68.88	181.12
SF.02.2772.000	Refund - VRH-WC Rebate	6,100.00	0.00	0.00	6,100.00	0.00	6,100.00
Fire (SF) Totals							
		470,116.00	0.00	0.00	470,116.00	463,834.88	6,281.12
Consolidated Lighting							
SL.02.1001.000	Real Property Taxes	30,125.00	0.00	0.00	30,125.00	30,125.00	0.00
SL.02.2402.000	Interest Earnings	75.00	0.00	0.00	75.00	6.40	68.60
Consolidated Lighting (SL) Totals							
		30,200.00	0.00	0.00	30,200.00	30,131.40	68.60
Water Works 0 & M (SW)							
SW.02.2140.000	Metered Water Sales	122,000.00	0.00	0.00	122,000.00	63,718.63	58,281.37
SW.02.2144.000	Water Services Charges	1,000.00	0.00	0.00	1,000.00	0.00	1,000.00
SW.02.2148.000	Interest & Penalty on Water Rents	1,082.00	0.00	0.00	1,082.00	801.98	280.02
SW.02.2402.000	Interest Earnings	1,500.00	0.00	0.00	1,500.00	214.22	1,285.78
Water Works 0 & M (SW) Totals							
		125,582.00	0.00	0.00	125,582.00	64,734.83	60,847.17
Totals Consolidated Funds							
		4,318,812.00	620,138.00	0.00	4,938,950.00	4,545,809.75	393,140.25

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Conservation	Conservation	18	118.53
	Marriage's	Marriage License Fee	10	175.00
	Town Clerk Fees	Death Certificate	18	180.00
		Freon	9	135.00
	Town Clerk Fee's	Birth Certicate	2	20.00
		Misc. Fee	4	4,028.00
		Sub-Total:		\$4,656.53
A2544	Dog Licensing	Female, Spayed	21	294.00
		Male, Neutered	11	154.00
		Male, Unneutered	1	19.00
			Sub-Total:	
			Total Local Shares Remitted:	\$5,123.53
Amount paid to:	NYS Ag. & Markets for spay/neuter program			35.00
Amount paid to:	NYS Dept. of Health For Marriage License's			225.00
Amount paid to:	NYS Environmental Conservation			2,494.47
Total State, County & Local Revenues:		\$7,878.00	Total Non-Local Revenues:	\$2,754.47

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Deanna Cochran, Town Clerk, Town of Red Hook, during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

	
Supervisor	Town Clerk
10/5/21	10/4/21
Date	Date

Sign & Return

OKTOBERFEST DINNER

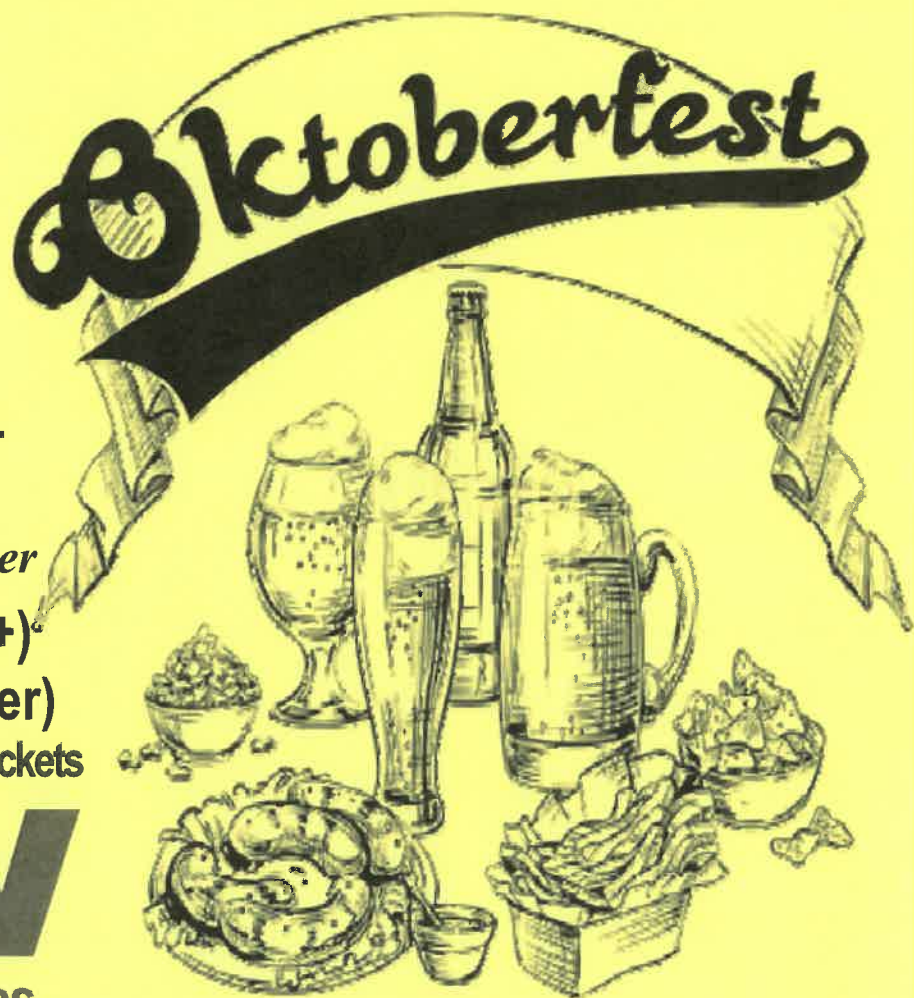
SUNDAY OCT. 24, 2021

4:00pm to 7:00pm
(Take Outs available)

Pork Schnitzel
w/Gravy & Spatzle
German Potato Salad,
Red Cabbage,
Bratwurst & Sauerkraut
Oktoberfest Beer & Soda incl.
Black Forest Cake & Coffee
50/50 Drawing & Basket of Cheer
\$18 Adults \$16 Seniors (65+)
\$12 Kids 7-16 (Free 6 & under)
First Come/First Serve—No Advance Tickets



VETERANS OF FOREIGN WARS.



Red Hook VFW Post 7765

30 Elizabeth St., Red Hook, NY 845-758-6212

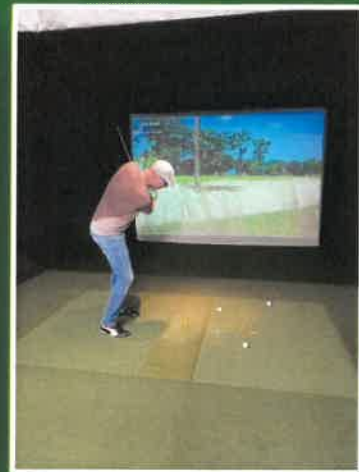
10 Weeks—October 4-December 23

Call 845-407-2401 (John McGee)

All players call John to provide handicap,
email address and phone number

Golf Simulator 2021 Fall League at The Bunker

Red Hook VFW Post 7765



Here's the deal...

Players will be assigned to one of the following times:
Mon, Tue, Wed & Thu 5:00pm-7:30pm based on handicap

\$180 per player

(cash only) due by Monday, September 27, 2021

No refunds will be available for missed sessions.

(Players are responsible for finding their own substitutes.)



Upstairs at The Bunker
30 Elizabeth Street
Red Hook, NY 12571



RSVP of Dutchess County



DRESS FOR SUCCESS®
DUTCHESS COUNTY

Family Development Centers

Administrative Offices - 77 Cannon Street, Poughkeepsie NY 12601 (845) 452-5104

84 Cannon Street, Poughkeepsie NY 12601 (845) 452-5104

Northern Dutchess - 44-46 East Market Street, Red Hook NY 12571 (845) 876-1611

Southern Dutchess - 10 Eliza Street, Beacon NY 12508 (845) 831-2620

Eastern Dutchess - 3414 Route 22, Dover Plains NY 12522 (845) 877-9272

visit us at www.dutchesscap.org

October 2021

Greetings,

As many know, the Hudson Valley CASH Coalition provides free reliable tax preparation assistance to low and moderate-income individual, families, and seniors throughout the Hudson Valley. Community Action Partnership for Dutchess County has been a supporting member of the Coalition since its inception.

In partnership with AARP Foundation Tax-Aide, the Coalition ensures those that need assistance in filing their tax returns are provided free and reliable tax preparation by certified volunteers and receive all the tax credits and refunds they are entitled to. **Last filing season, 3,446 returns were e-filed with \$2.6 M in refunds and credits returned to residents of the Hudson Valley, thanks to local volunteers.**

At the heart of this effort are community members who freely give of their time and talents. **We are asking for your support to inform your neighbors of our need for volunteers.** We particularly need volunteers who can assist with translation or volunteer tax preparers who are bilingual. Enclosed are a few flyers for posting and distribution. We would appreciate all efforts to spread the word.

New this year our **CASH Partner Page** has resources to promote this important volunteer opportunity. From images for your website and Face Book page to sample narratives to press releases and posters, all a click away. As social media is here to stay, many are using this method to keep their neighbors informed, we are asking each community to consider 4 postings throughout the month of October and November and to **like and share** our face book page <https://www.facebook.com/hvcash>

All tools and information can be found at <https://www.uwdor.org/hv-cash-partners>

Thank you in advance for your support.

Linda Eddy

EITC Program Director
Community Action Partnership
845-475-7500

Elizabeth Spira

CEO
Community Action Partnership
845-452-5104 ext. 103

Our Mission...

To partner with individuals and families to eliminate poverty and identify the resources and opportunities available to them to enhance their self reliance.

"Engaging Communities, Empowering Individuals"



The programs provided by this agency are partially funded by monies received from the County of Dutchess



MAKE A DIFFERENCE
**BECOME A VOLUNTEER
TAX PREPARER**

*FREE -Training
FREE- IRS Certification
Support Volunteer Positions Available*

FLEXIBLE HOURS & VIRTUAL OPPORTUNITIES

CONTACT - LINDA EDDY

845-475-7500

LEDDY@DUTCHESSCAP.ORG

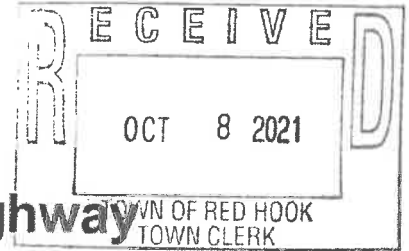
HV-CASH.ORG



Town of Red Hook



**Highway
Department**



28 Glen Pond Drive, Red Hook NY 12571 845-758-4615

October 8, 2021

Supervisor Robert McKeon
Councilperson Bill O'Neil
Councilperson Christine Kane
Councilperson Bill Hamel
Councilperson Jacob Testa

Re: Town of Red Hook Budget 2022

As Highway Superintendent, I am an advocate for the safety of the Town of Red Hook roads. During the initial budget process, I have identified the critical need for the reinstatement of one of our laid off full-time crew members, a replacement for our 20-year-old plow truck, and a replacement for our 20-year-old backhoe. It is clear that the Town of Red Hook has more than adequate financial resources to fund these requests and include them in the budget for 2022. Providing the personnel and equipment will directly benefit the residents of the Town we serve.

Without adequate equipment and man power the Highway Department cannot function properly. Entering, funding and approving the necessary items as part of the 2022 budget document will send a public message that the Town Board recognizes the needs of the Highway Department. This essential workforce provides not only year-round service to the residents, it is also the first line of defense in clearing the roads during storms and weather-related emergencies.

In our department, safety is a priority. We believe that the Town Board has the right and the obligation to support our efforts on behalf of the taxpayers in the Town of Red Hook.

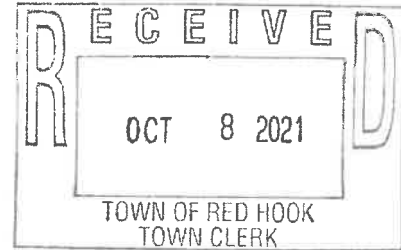
Respectfully yours,

Theresa Burke

Theresa Burke
Highway Superintendent
Town of Red Hook

Memo from the Highway Department

October 8, 2021



I am submitting this letter as public comment for the Town Board meeting on Tuesday, October 12, 2021

Please include this document in the public packet and attach it to the minutes of the meeting as a matter of record.

Thank you,

A handwritten signature in cursive script that reads "Theresa Burke".

Theresa Burke

Highway Superintendent

Town of Red Hook

Town of Red Hook Recreation Commission
7340 South Broadway, Red Hook, NY 12571
Telephone: 845-758-4625, Fax: 845-758-5313

The Recreation Commission is planning Phase II of the Skate Park Project. Completed in 2008, Phase I consisted of the purchase and installation of five pieces of equipment:

1. Round Grind Rail
2. Skate Bench
3. Wedge, Flat, Stair
4. Grind Rail, Square Kinked
5. Grind Box

These pieces of equipment were selected after meetings with student skaters at the Red Hook Middle School and High School in the high school cafeteria.

Working with the American Ramp Company, the concept was that the Skate Park design would allow for future expansion in the space available.

The Town of Red Hook selected the American Ramp Company bid because it offered steel equipment that could withstand the rigors of winter in the northeast.

Now, after 13 years, there are compelling reasons to complete Phase II of the Skate Park Project.

Among these reasons are:

1. More local youth are pursuing the sport of skate boarding.
2. Skaters from the ages of four to fifty use the Red Hook Skate Park.
3. Local skate boarder's skills have improved to the point where more challenging and versatile equipment is warranted.
4. Local skate boarders have secured sponsors, boards, and clothing after honing their skills at the Red Hook Recreation Skate Park.
5. Many local skaters must travel to Poughkeepsie, Hyde Park, Saugerties, and Newburgh to use skate parks that offer a better variety of ramps.
6. A variety of ramps would provide a better opportunity to hone skills.
7. The design would provide for a better "flow" for skaters to move from one piece of equipment to another.
8. New well-designed equipment would help to keep skaters off the school steps, the sidewalks and the business parking lots.
9. Providing an improved skate park fulfills the Mission Statement of the Recreation Commission.

Town of Red Hook Recreation Commission Mission Statement

The Recreation Commission will provide quality facilities through sound planning, development, maintenance, and preservation of parklands, and through the development of leisure services, programs, and activities for all age groups.



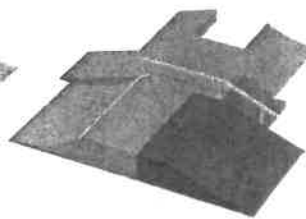
ITEMS # 1,2,3



ITEMS # 6,7,8



ITEMS # 4 & 5



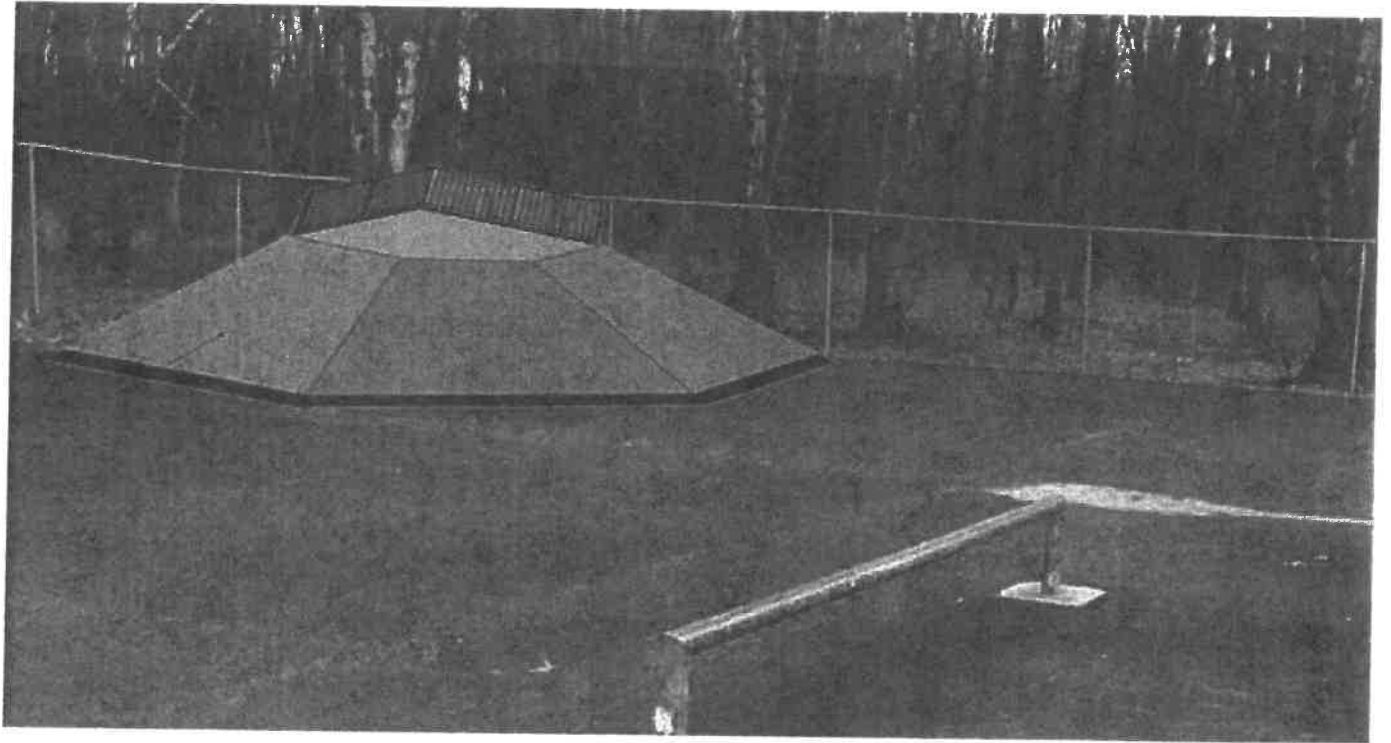
ITEMS # 9&10

ITEM #11



<u>Item</u>	<u>Obstacle</u>	<u>Height</u>	<u>Width</u>	<u>Length</u>
1	Bank Ramp	3.0'	4.0'	7.0'
2	Pyramid Corner (Bank Ramp) 90			
3	Bank Ramp	3.0'	4.0'	11.0'
4	Quarter Pipe	2.0'	4.0'	5.0'
5	Quarter Pipe	2.0'	4.0'	5.0'
6	Grindbox	2.0'	4.0'	20.0'
7	Grindbox	1.0'	4.0'	16.0'
8	Bank Ramp (Wedge)	1.0'	4.0'	4.0'
9	Bank Ramp (Wedge)	2.0'	4.0'	8.0'
10	Bank Ramp (Wedge)	2.0'	4.0'	8.0'
11	Quarter Pipe	4.0'	4.0'	11.0'

ITEMS # 1,2,3



**PYRAMID CORNER
BANK RAMP - 90 DEGREE**

Height = 3.0'

Width = 7.3'

Length = 7.3'

BANK RAMP

Height = 3.0'

Width = 4.0'

Length = 7.0'

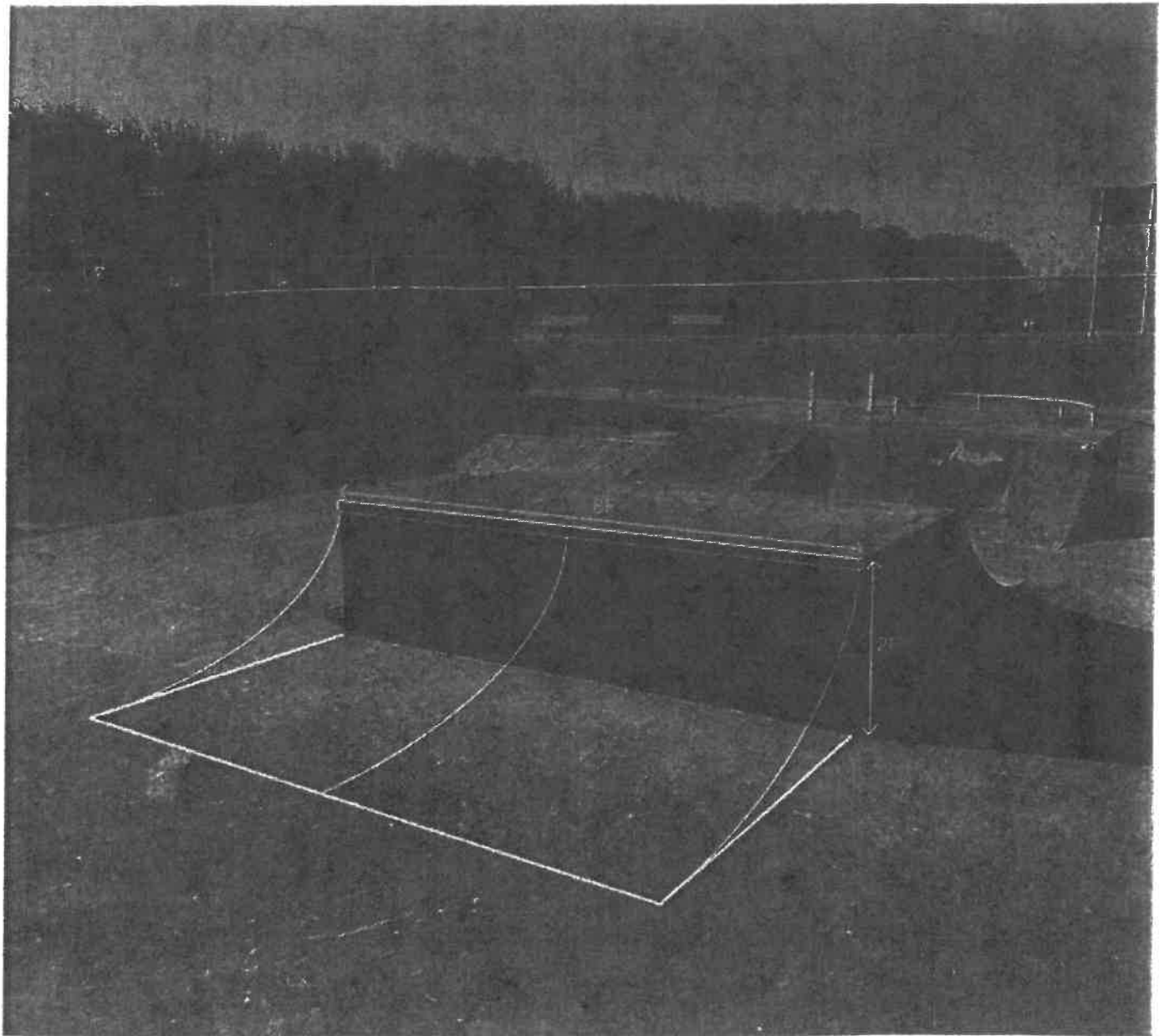
BANK RAMP

Height = 3.0'

Width = 4.0'

Length = 11.0'

ITEMS # 4 & 5



QUARTER PIPE

Height = 2.0'

Width = 4.0'

Length = 5.0'

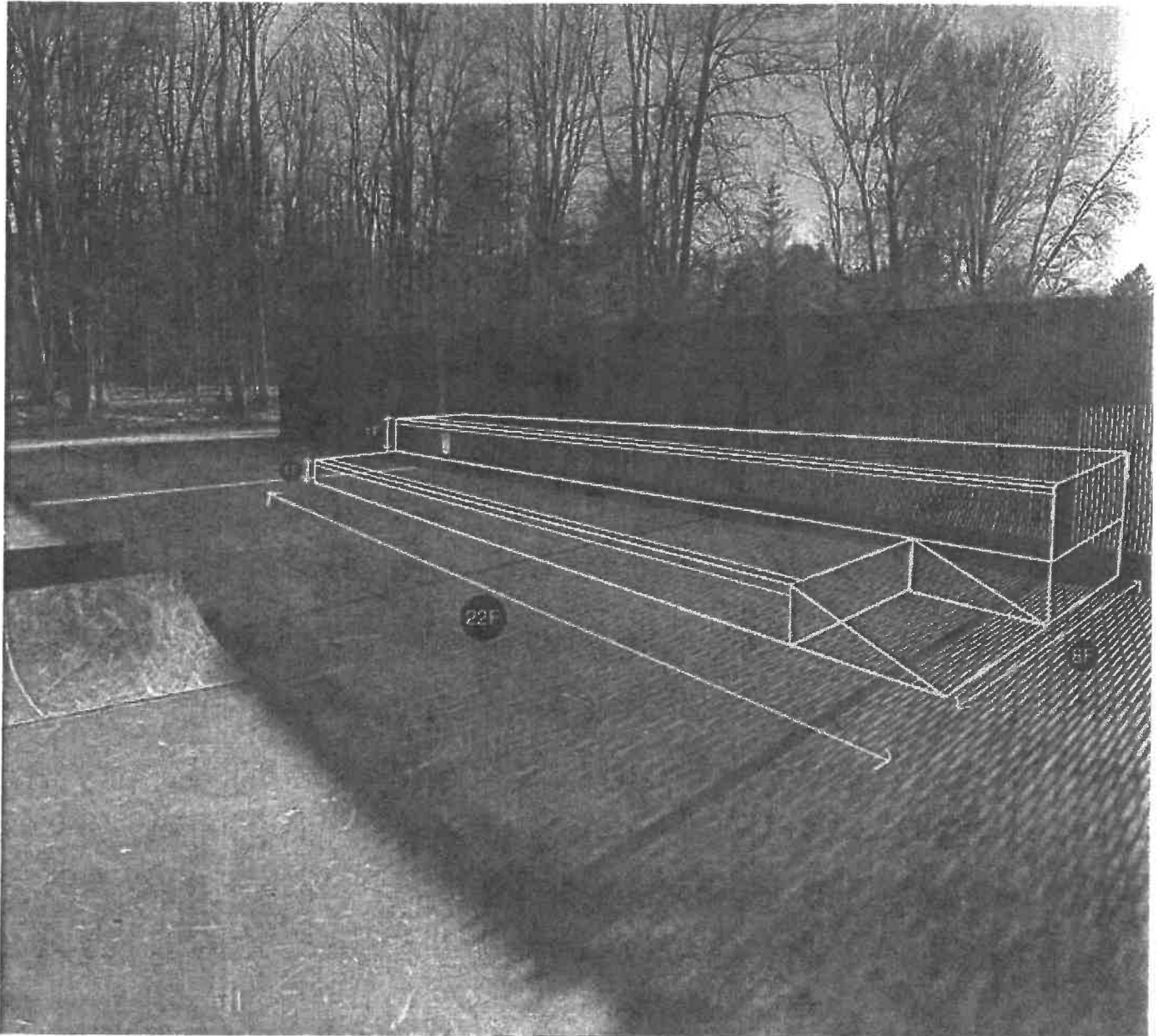
QUARTER PIPE

Height = 2.0'

Width = 4.0'

Length = 5.0'

ITEMS # 6,7,8



BANK RAMP

Height = 1.0'
Width = 4.0'
Length = 4.0'

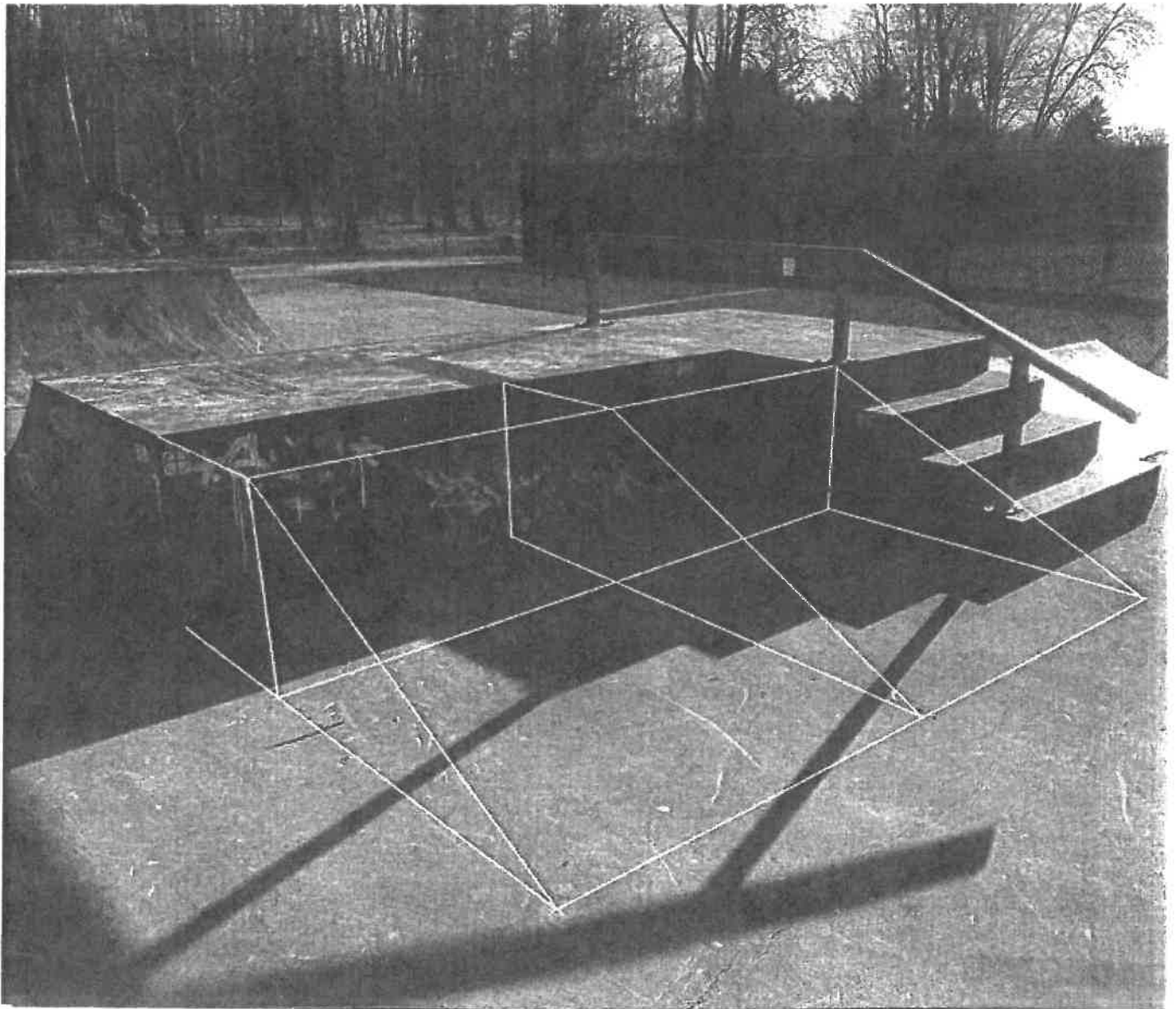
GRINDBOX

Height = 1.0'
Width = 4.0'
Length = 16.0'

GRINDBOX

Height = 2.0'
Width = 4.0'
Length = 20.0'

ITEMS # 9&10



BANK RAMP (WEDGE)

Height = 2.0'

Width = 4.0'

Length = 8.0'

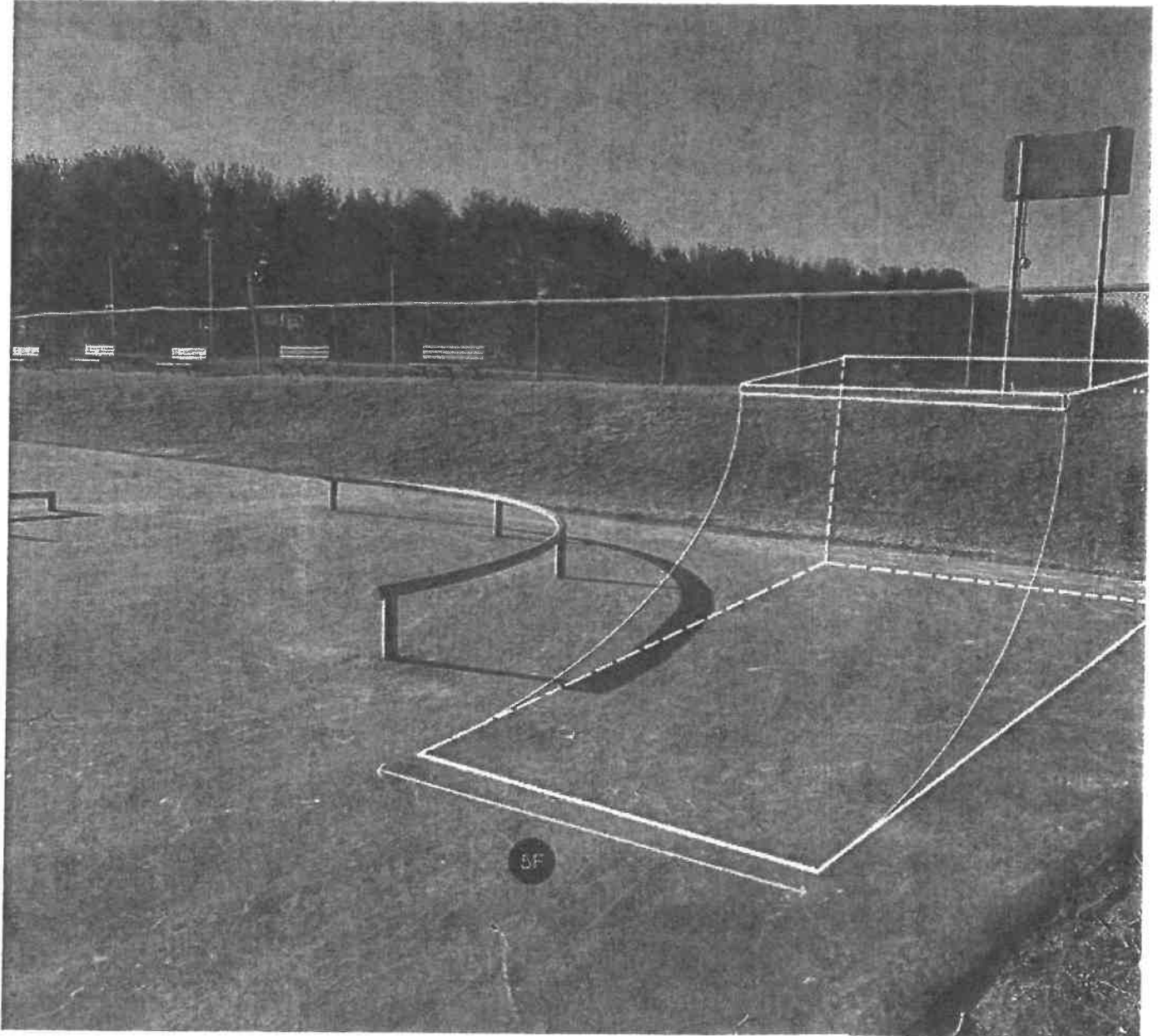
BANK RAMP (WEDGE)

Height = 2.0'

Width = 4.0'

Length = 8.0'

ITEM #11

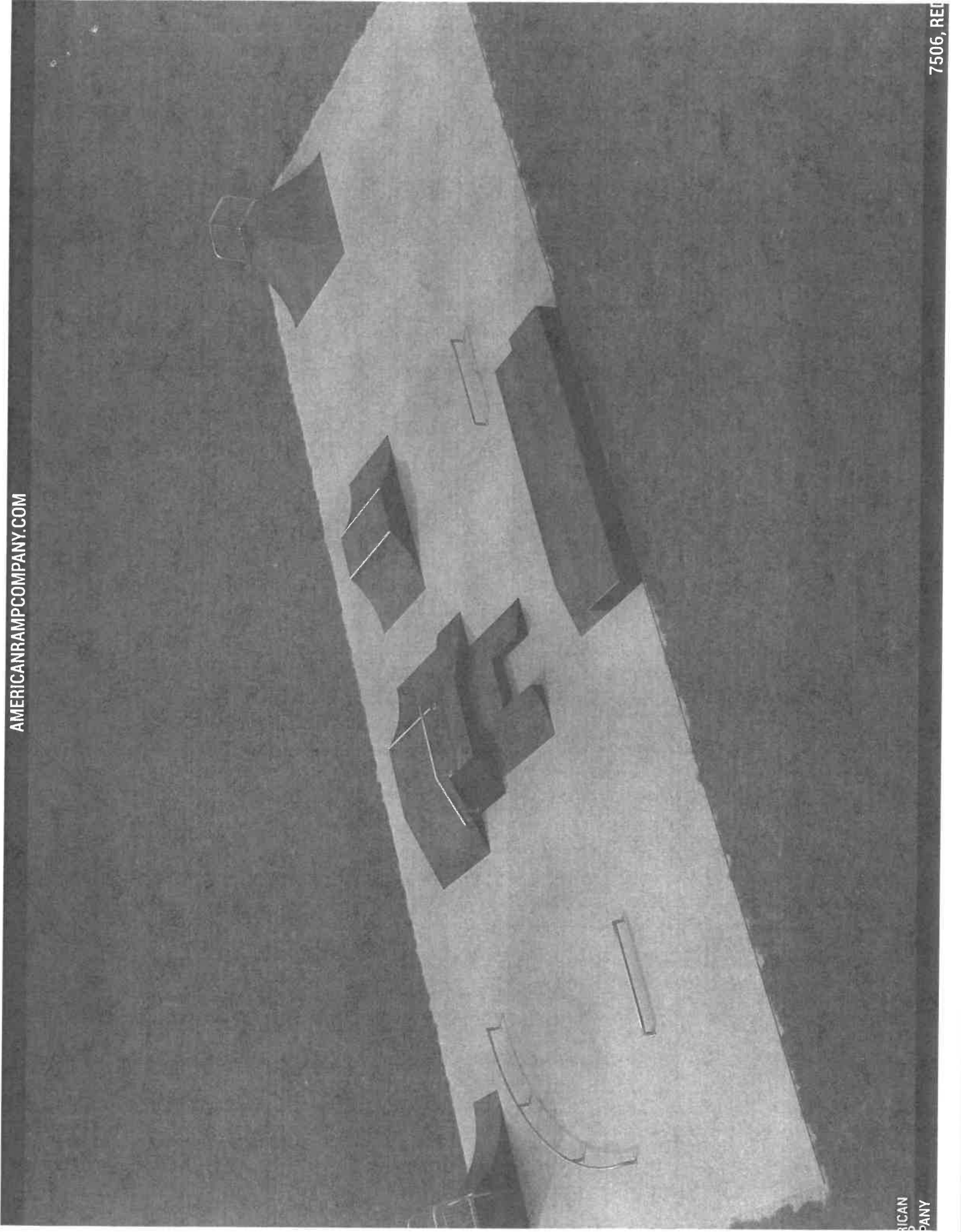


QUARTER PIPE

Height = 4.0'

Width = 4.0'

Length = 11.0'



NOTICE OF PUBLIC HEARING
TOWN OF RED HOOK

PLEASE TAKE NOTICE that a continued public hearing will be held by the Town Board of the Town of Red Hook on October 12, 2021 at 7:35 P.M. local time, at the Town Hall, 7340 South Broadway, Red Hook, New York 12571, to hear all interested persons on a proposed Local Law No. D (Proposed) of 2021 entitled “**A LOCAL LAW REGARDING MICRO HYDROPOWER FACILITIES**”, to provide for the installation of micro hydropower facilities in order to further the goals of the Town’s Climate Action Plan, and amend the Town of Red Hook Zoning Law to allow micro hydropower facilities in the Waterfront Conservation District subject to issuance of a special permit, and amend Chapter 100 of the Town Code entitled “Power Plan Site Studies” to exempt micro hydropower facilities from the definition of a “power plant” and from the requirements of Chapter 100.

PLEASE TAKE FURTHER NOTICE that copies of said proposed Local Law are available for review at the Town Hall, 7340 South Broadway, Red Hook, New York 12571.

Due to the ongoing COVID pandemic, the Town Hall is closed to the general public except by appointment until further notice. Pursuant to NY Laws of 2021 Chapter 417, the public will not be permitted to attend in person. Board members are expected to participate in the public hearing via teleconference or video conference. Please refer to the meeting agenda to be posted on the Town website at <https://www.redhook.org> listing the specific link which will allow the public to view and listen to the proceedings live, which is expected to be available at www.pandativ23.org (click on “WATCH live”). Project documents will be posted with the meeting agenda on the Town’s website.

All interested persons will be given an opportunity to be heard as follows: 1) The public is encouraged to submit written comments by email or telephone in advance of the hearing to townclerk@redhook.org and 845-758-4606 by 4:00 p.m. the day of the hearing. Please note “Local Law No. E (Proposed) of 2021” in the subject. 2) Written comments may be dropped in the Town’s drop box in advance of the hearing at the Town Hall, 7340 South Broadway, Red Hook, New York 12571 by 4:00 p.m. the day of the hearing. Please observe the recommendations of the CDC regarding distancing and use of masks. 3) All comments so received in advance of the hearing will be noted in the hearing record. Interested persons may also comment by email or telephone to supervisor@redhook.org and 845-758-4622 on the date of the hearing from the time of opening the hearing until the close of the hearing.

All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Town Clerk in advance at the above address or by phone 845-758-4606 so that arrangements can be made.

By order of the Town Board of the Town of Red Hook, dated September 22, 2021.

Deanna Cochran
Town Clerk
Town of Red Hook

NOTICE OF PUBLIC HEARING TOWN OF RED HOOK

PLEASE TAKE NOTICE that a continued public hearing will be held by the Town Board of the Town of Red Hook on October 12, 2021 at 7:45 p.m. local time, at the Town Hall, 7340 South Broadway, Red Hook, New York 12571, to hear all interested persons regarding the proposed Saw Kill Trail project. The project proposes the construction of the Saw Kill Trail project as a cooperative project pursuant to a proposed cooperative agreement and two easements entitled “Deed of Conservation Easement and Public Access Easement” given by Winnakee Land Trust, Inc. to the Town, each dated February 14, 2020 and filed as Document No. 02-2020945 and 02-2020947, respectively. The Town Board has reviewed a Part 1 Environmental Assessment Form. The Town Board has adopted a resolution determining to act as lead agency for purposes of review under the State Environmental Quality Review Act (SEQRA), and determining that the proposed project is an unlisted action. In conjunction with its review of the project under SEQRA, the Town Board will undertake a review of the Saw Kill Trail project in order to determine whether and to what extent Red Hook’s zoning laws apply to the proposed Saw Kill Trail project, taking into account the nine factors set forth in *Matter of County of Monroe v. City of Rochester*, as follows: (1) the nature and scope of the instrumentality seeking immunity; (2) the encroaching government’s legislative grant of authority; (3) the kind of function or land use involved; (4) the effect local land use regulation would have on the enterprise concerned; (5) alternative locations for the facility in less restrictive zoning areas; (6) the impact upon legitimate local interests; (7) alternative methods of providing the proposed improvement; (8) the extent of the public interest to be served by the improvements; and (9) intergovernmental participation in the project development process and an opportunity to be heard.

Due to the ongoing COVID pandemic, the Town Hall is closed to the general public except by appointment until further notice. Pursuant to NY Laws of 2021 Chapter 417, the public will not be permitted to attend in person. Board members are expected to participate in the public hearing via teleconference or video conference. Please refer to the meeting agenda to be posted on the Town website at <https://www.redhook.org> listing the specific link which will allow the public to view and listen to the proceedings live, which is expected to be available at www.pandav23.org (click on “WATCH live”). Project documents will be posted with the meeting agenda on the Town’s website.

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All reasonable accommodations will be made for persons with disabilities. In such a case, please notify the Town Clerk in advance at the above address or by phone 845-758-4606 so that arrangements can be made.

PLEASE TAKE FURTHER NOTICE that copies of said EAF are available for review at the office of the Town Clerk, Red Hook Town Hall, 7340 South Broadway, Red Hook, New

York 12571.

By order of the Town Board of the Town of Red Hook, dated September 22, 2021.

Deanna Cochran
Town Clerk
Town of Red Hook

NOTICE OF PUBLIC HEARING
TOWN OF RED HOOK

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Red Hook on October 12, 2021 at 7:55 P.M. local time, at the Town Hall, 7340 South Broadway, Red Hook, New York 12571, to hear all interested persons on a proposed Local Law No. E (Proposed) of 2021 entitled **““A LOCAL LAW ADOPTED PURSUANT TO NYS CANNABIS LAW § 131 OPTING OUT OF ALLOWING RETAIL CANNABIS DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF RED HOOK OUTSIDE OF ANY VILLAGE””**.

PLEASE TAKE FURTHER NOTICE that copies of said proposed Local Law are available for review at the Town Hall, 7340 South Broadway, Red Hook, New York 12571.

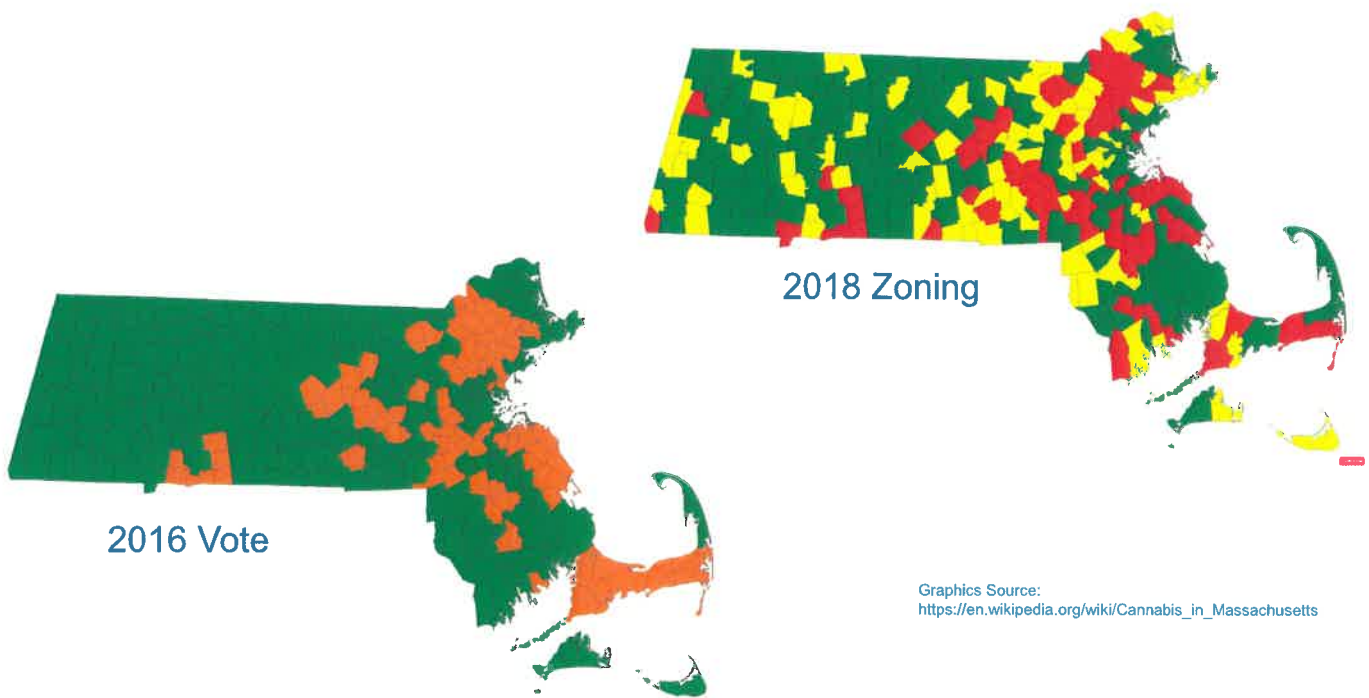
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By order of the Town Board of the Town of Red Hook, dated September 22, 2021.

Deanna Cochran
Town Clerk
Town of Red Hook

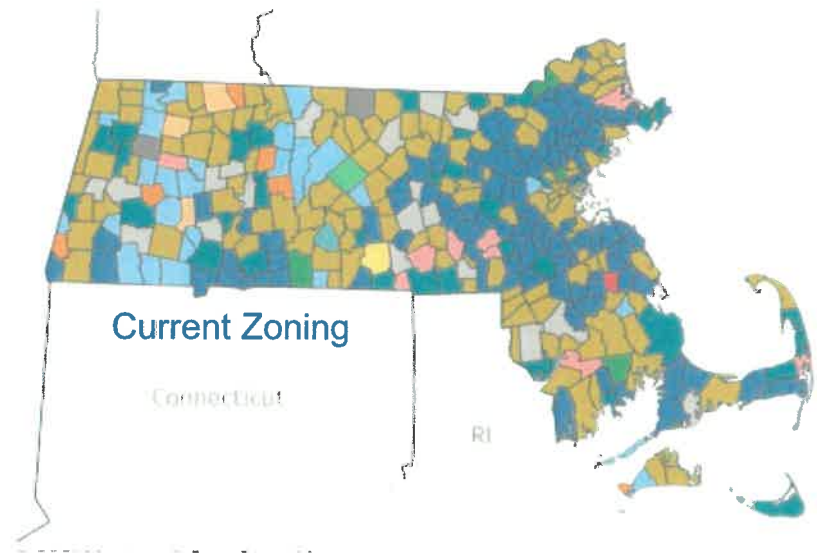


LEGALIZED ADULT USE CANNABIS: LAND USE PERSPECTIVES FROM MASSACHUSETTS

Presenter: Brandee Nelson, PE, LEED AP

PRESENTATION OVERVIEW

- **Brief History**
- **Model Ordinance**
- **Case Communities**
 - Zoning
 - Facility Development
 - Imagery



<https://www.wickedlocal.com/news/20200210/3-maps-how-massachusetts-communities-are-zoning-for-marijuana>

BRIEF HISTORY OF ADULT-USE CANNABIS IN MA

- Legalized in 2016 through a Ballot Initiative
- Communities with majority of voters supporting legalization are prohibited from zoning cannabis facilities out without a separate local ballot initiative
- Approximately 18 months for State to establish a Cannabis Control Commission (CCC) and develop regulations and guidance documents
 - <https://mass-cannabis-control.com/wp-content/uploads/2018/01/010918CNB-Guidance-Municipalities-Adult-Use.pdf>
- CCC issues licenses for all types of commercial facilities (cultivators, retailers, manufacturers, testing labs, and any other licensed marijuana-related businesses)
- First licenses for retail issued in November 2018

BRIEF HISTORY OF ADULT-USE CANNABIS IN MA

- **351 municipalities, majority have adopted some form of zoning or a ban**
- **State regulations established cannabis cultivation was NOT subject to agricultural exemptions, allowing local control for siting of cultivation facilities**
- **State law allows for:**
 - Municipal ordinances to be passed governing the “time, place and manner of marijuana establishments” but must not be “unreasonably impracticable”
 - Medical dispensaries to be converted
 - Moratoriums to be enacted while zoning is considered
 - Bans or limits to be enacted (but must follow specific procedures)
 - Control of Buffer Zones, Signage and Transportation

MODEL ORDINANCE

- **Pioneer Valley Planning Commission prepared a model zoning ordinance**
 - <http://www.pvpc.org/sites/default/files/PVPC%20MODEL%20ADULT%20USE%20MARIJUANA%20ZONING%20BYLAW%206-20-18.pdf>
- **Ordinance guidance recommends:**
 - Tailoring to meet specific community needs
 - Communities understand the potential intensity of use related to cultivation facilities and a distinction between craft cultivation and conventional cultivation
 - Table of Uses be updated to reflect the various Marijuana Establishment Uses
 - Definitions section be updated to reflect Marijuana Uses and align with state regulatory definitions
 - Setbacks be tailored to specific community characteristics
 - Consider limitations on the square footage of retail facilities
 - Evaluate proximity of marijuana uses with residential uses

CASE COMMUNITIES

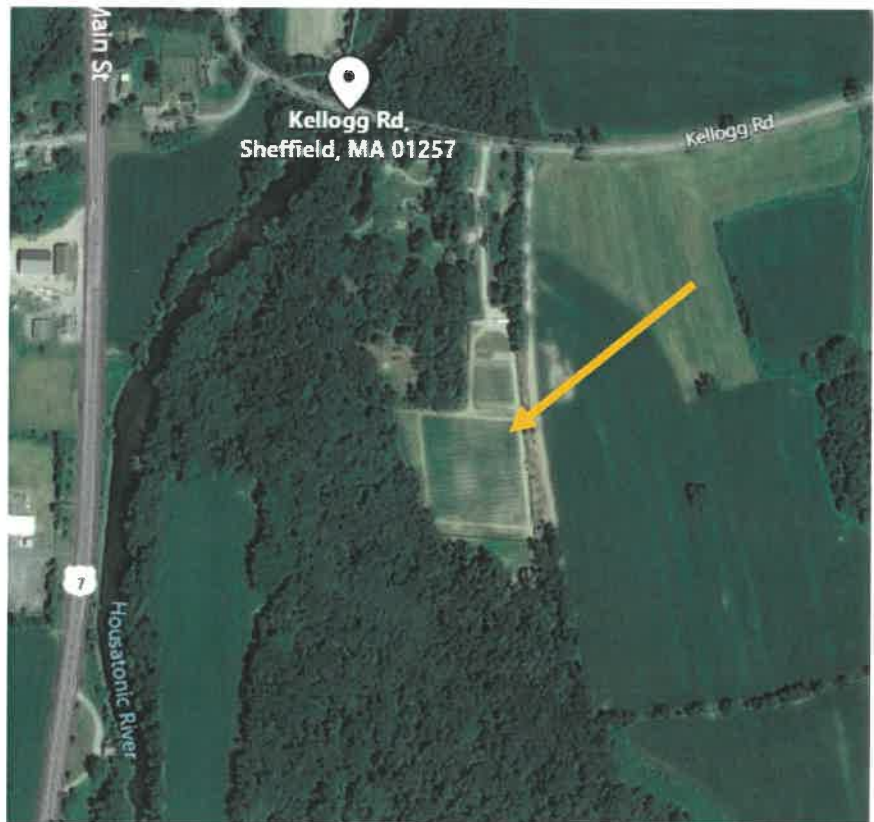
- **Sheffield, MA – Rural agricultural community, population ~3,250**
 - Six grow facilities
 - Mix of indoor/greenhouse and outdoor
 - Located in mix of zones: Rural District, General Business District, Commercial District
 - Zoning Overlay in place for dispensaries only:
https://www.sheffieldma.gov/sites/g/files/vyhlf3806/f/uploads/zoningbylawmay2019final_-2-17-21_2.pdf
 - Requires a Special Permit from the Planning Board
 - Establishes setbacks from places where children congregate
 - Establishes requirements for bonding and facility decommissioning

CASE COMMUNITIES – TABLE OF USES

H. Adult Use Marijuana Establishment					
1. Marijuana Cultivator, Indoors	PB	PB	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
2. Marijuana Cultivator, Outdoors	PB	N	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
3. Craft Marijuana Cooperative	N	N	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
4. Marijuana Product Manufacturer	PB	N	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
5. Marijuana Retailer	N	PB	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
6. Marijuana Research Facility	N	N	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
7. Marijuana Independent Testing Laboratory	N	N	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
8. Marijuana Transporter	N	N	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
9. Marijuana Microbusiness	N	PB	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
10. Any Other Type of Licensed Marijuana-Related Business	PB	PB	PB	PB	Refer to Section 7.5.3 for definition. Refer to Sections 7.5, 8.2, 8.3, 9.4 and 9.5 for Special Permit requirements.
11. Non-Residential On-Premises Consumption, i.e. Marijuana Cafes	N	N	N	N	No use listed in Section 3.1.3.H allows for on-site consumption.

NOVA FARM – OUTDOOR GROW FACILITY

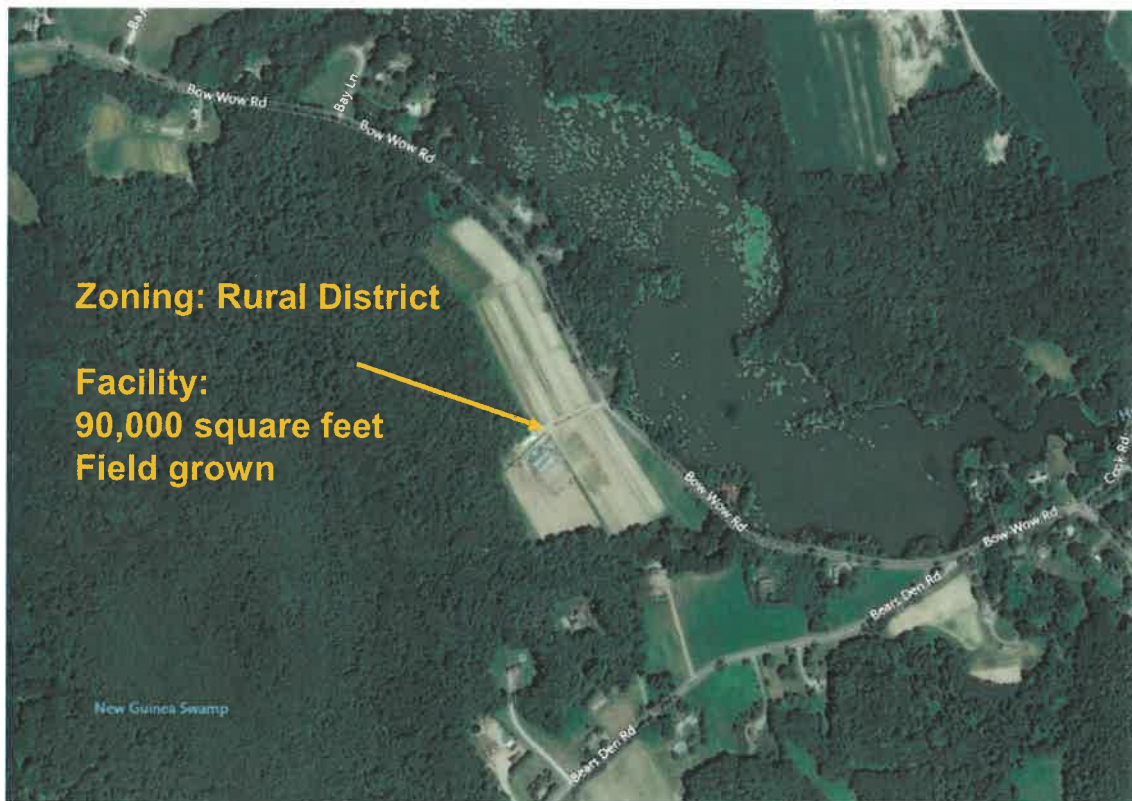
- **Nova Farm**
 - Approx 4 acres in cultivation
 - Field Grown
 - Single Season
 - 500 feet setback
- **First Outdoor facility licensed in MA**
- **Zoning: Rural District**



NOVA FARM – FACILITY SCREENING



THEORY WELLNESS – OUTDOOR GROW FACILITY



THEORY WELLNESS – FACILITY SCREENING



THEORY WELLNESS – INDOOR/OUTDOOR



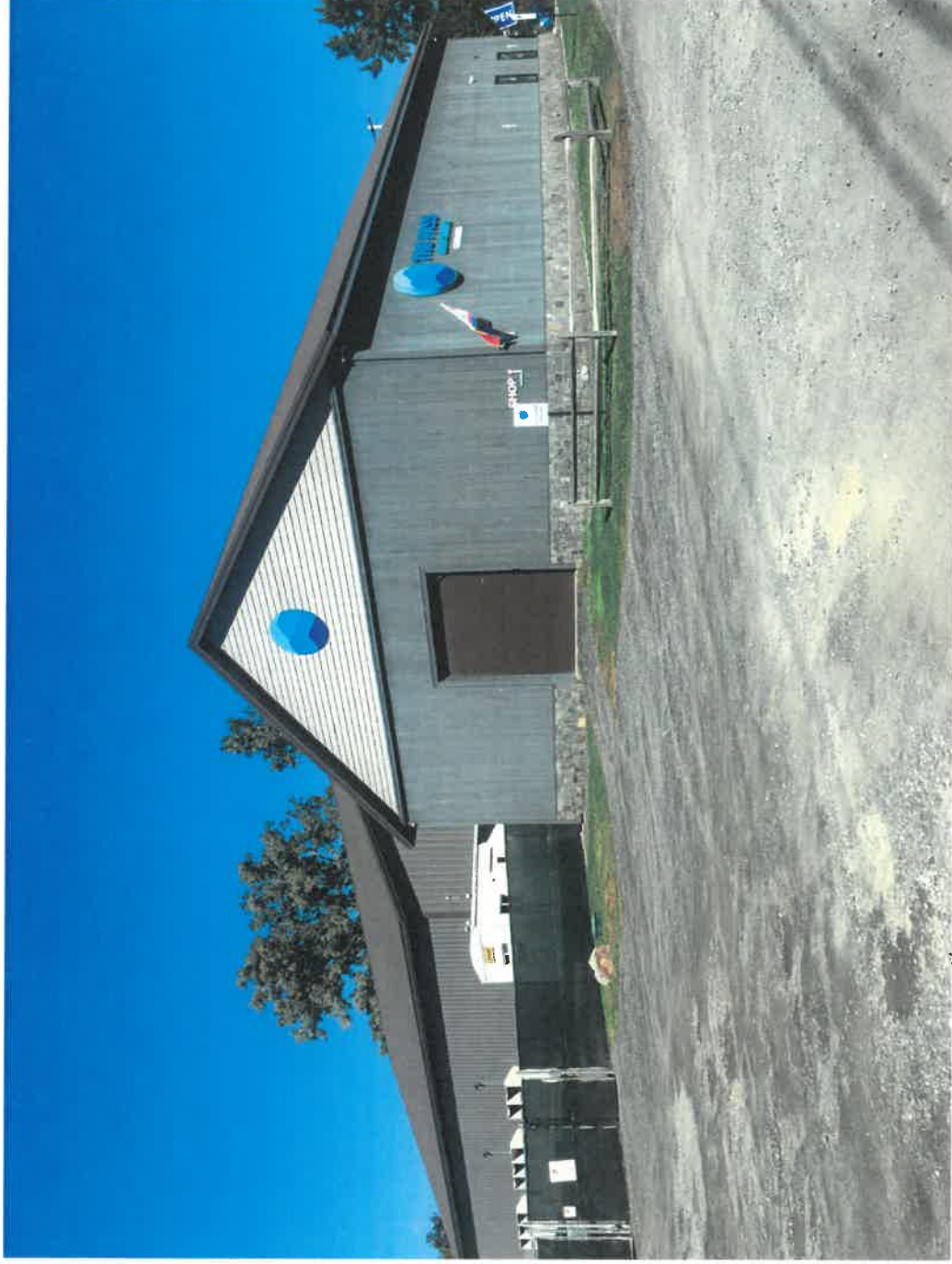
THEORY WELLNESS – FACILITY SECURITY



BERKSHIRE WELCO - MIXED USE FACILITY



BERKSHIRE WELCO - MIXED USE FACILITY



CASE COMMUNITIES

- **Great Barrington, MA – Mix small town/rural agricultural, population ~6,850**
 - Five retail facilities, four in operation
 - Screening, lighting, parking, traffic evaluated during site plan
 - Located in General Business or Downtown Business Districts
 - Allowed where retail is permitted, subject to Site Plan Review
 - Applicant initiated withdrawal of applications for Bakery and Indoor Grow Facility
 - Zoning in place: <https://ecode360.com/28926248>
 - Provides for siting of facilities in order to minimize adverse impacts
 - Requires site plan review (even if a permitted use)
 - Establishes setbacks
 - Establishes screening requirements
 - Establishes limits on hours of operation

CASE COMMUNITIES – TABLE OF USES

Permitted Use	ZONING DISTRICT '1															ADDITIONAL APPLICABLE REGULATIONS
	R1A	R1B	R2	R3	R4	B	HVC	B1	B2	B2A	B2X	B3	MXD	I	I2	
Marijuana Establishment, Cultivation *	N	N	SB *	N	SB*	N	N	N	N	N	N	N	N	N	N	* Cultivation in the R2 and R4 zones may only be considered on parcels of 5 acres or larger. See also 7.18.
	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	See also 7.18.
(13) Marijuana Establishment, Retail and Medical Marijuana Treatment Center	N	N	N	N	N	Y	Y	N	Y	N	Y	Y	N	Y	N	See also 7.18.

RETAIL FACILITY – MIXED USE LOCATION



RETAIL FACILITY



RETAIL FACILITY – DOWNTOWN LOCATION



RETAIL FACILITY



RETAIL FACILITY – BUSINESS DISTRICT



RETAIL FACILITY

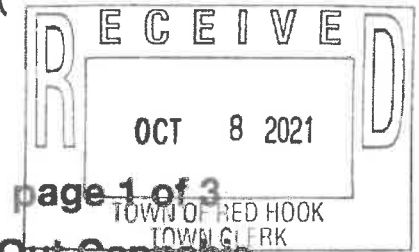


CONCLUSION

- Questions?
- Contact information

Brandee Nelson, PE
Tighe & Bond
845-516-5803
bnelson@tighebond.com

hand delivered



Notice of Public Hearing - Local Law No. E (Opt Out Cannabis Retail/Consumption Establishments)

Write emails to townclerk@redhook.org with the subject line "Local Law No. E (Proposed) of 2021" by October 11.

To the Citizens of Red Hook New York

My name is Shelton Lindsay I am 70 years old, I live in Red Hook and have worked here for over 38 years. I would like to go on public record in support of Cannabis Dispensaries being legal in the town of Red Hook, NY.

I have come to this conclusion after a great deal of consideration and numerous discussions about our town.

The following bullet points highlight my thoughts on the subject.

- o The tax revenue for our town would be at 3% provided the rrVillage ops out, If the Village opts in then we, the Town would get 1.5%. Either way the funds would go a long way to help with all of our tax burdens and any budget short-falls for the community.
- o Below is a snapshot of the collected revenue for Great Barrington Ma.
- o Please Note In Great Barrington there are two separate taxes that provide a source of cannabis revenue for municipalities that host so-called adult-use cannabis stores: a 3-percent local sales tax added to the state excise and sales taxes; and a community impact fee that is typically 3 percent of a store's gross sales.

The latter is a point of negotiation between town and applicant as part of a host community agreement, as required by the state Cannabis Control Commission. Approximately half of the Great Barrington's cannabis revenues were generated by the community impact fee.

- o This information was written by Terry Cowgill Aug 25, 2021 and published in the Berkshire Edge.

Cannabis Revenue

State Distribution/Local Option tax	1st Qtr Sept 30th (Jun-Aug)	2nd Qtr Dec 30th (Sep-Nov)	3rd Qtr Mar 30th (Dec-Feb)	4th Qtr June 30th (Mar-May)	Total
FY2019	-	-	45,661.79	225,798.13	271,459.92
FY2020	357,274.39	415,133.14	406,456.38	247,476.94	1,426,340.85
FY2021	339,967.03	487,927.27	437,916.76	489,940.44	1,755,751.50
	\$ 697,241.42	\$ 903,060.41	\$ 890,034.93	\$ 963,215.51	\$ 3,453,552.27

Community Impact Fee	1st pymt Jul 15th (Apr-Jun)	2nd pymt Sept 15th (July-Sept)	3rd pymt Jan 15th (Oct-Dec)	4th pymt April 15th (Jan-Mar)	Total
FY2019	-	-	-	185,807.22	185,807.22
FY2020	309,293.37	414,374.51	405,986.23	382,287.76	1,511,941.87
FY2021	175,129.46	488,521.36	438,344.73	472,772.27	1,574,767.82
FY2022	423,518.91	-	-	-	423,518.91
					\$ 3,272,516.91

Totals	
FY2019	457,267.14
FY2020	2,938,282.72
FY2021	3,330,519.32
Total 6/30/21	6,726,069.18

- o We would have to be realistic in assessment of these figures because Great Barrington was one of the first commercial Cannabis towns in the northwestern corner of Ma. Regardless the revenue is remarkable and it is taxed at 3% just as Red Hook could be.
- o We do not have a breakdown in looking at these figures of the number of New York citizens that purchased Cannabis products there and helped with this tax figure but by all accounts New Yorkers make up a significant amount or the individuals using the Great Barrington Dispensaries.

- o We took a straw poll among New Yorkers who purchase in Great Barrington. Everyone asked said they would prefer to purchase locally.
- o My point is Red Hook needs additional revenue that is not on the back of its citizens.
- o Moving on, Cannabis is an effective medicine for cancer patients, arthritic individuals, insomnia, many types of pain, as well as a very pleasant way to relax and recenter yourself. There historically have been concerns about it being a gateway drug for our youth. Legal adult use of Cannabis regulated by the State and its municipalities is as safe as any pharmacy that can dispense OxyCodone, or our favorite local brewery or liquor store. One advantage over the others is that a % of the State's sales tax will go towards abuse prevention for addiction.
- o Our Children grow up too fast as it is, we must keep them safe, I am confident that this is possible and that we will do it correctly and better than the regulation on other regulated substances.
- o Next is a map of the state of New York that shows all the towns that have accepted and those that have Opted out of legal Cannabis sales. This is only a reference document it can change daily until Dec. 31st. Red Hook is perfectly positioned within the Hudson Valley to embrace citizens from surrounding towns that have Opted Out to bring business to our area.

https://www.google.com/maps/d/u/0/viewer?mid=1Vwy9IK6NunsR7NbtD_SwtMIPTR-cBHOu&ll=42.81906050183678%2C-76.02117724999998&z=5

The Town Board has represented that they work for the citizens and I do believe that is accurate and true. I have attended Red Hook info sessions on Cannabis. After speaking one on one with senior town officials in my opinion their goal is to sit back and see what the state laws are when they are finally published rather than Opting In at this time. I disagree with this approach. Any business person wanting to invest in a Cannabis business will simply move to the next open town and set up shop. Each of us has had that one that got away, perhaps purchasing the house we wanted, or even a used car or a business investment that slipped away. Please don't let our town miss out on such a great opportunity for business growth, and tax revenue for our community. Thank you for your time and consideration in this matter.

Town Clerk

From: Gmail <davdul@gmail.com>
Sent: Friday, September 24, 2021 8:24 PM
To: Town Clerk
Subject: Vote to have Red Hook opt-in Cannabis Retail /Consumption

To: townclerk@redhook.org

Re: PUBLIC HEARING TOWN OF RED HOOK - Local Law - Opt Out Cannabis Retail /Consumption

I vote against the opt-out.

That is, I'm in favor of Red Hook to opt-in and allow retail cannabis dispensaries and on-site cannabis consumption establishments because I'm in favor of decriminalizing cannabis use.

The NY state government debated the pros and cons, and also concluded that decriminalizing cannabis use and sales is good policy for NY businesses and citizens.

NY law will regulate cannabis sales, just like it successfully regulates tobacco and alcohol sales. Red Hook satisfactorily enforces tobacco and alcohol sales, so with that precedent, Red Hook can similarly enforce NY regulations for cannabis sales and use.

Regards, David Dul
19 Prince St., Red Hook NY
415-846-4931
davdul@gmail.com

Town Clerk

From: Jacob Testa <jdtestajd@gmail.com>
Sent: Saturday, September 25, 2021 12:29 PM
To: Town Clerk
Subject: Fwd: Opposed to Cannabis Opt-in for Red Hook

Deanna,

I'm forwarding to make sure Maggie's message is included alongside the other public input on this issue. Thank you!

Best,
Jacob

----- Forwarded message -----

From: Kenneth Rothwell <kmgtrth@aol.com>
Date: Fri, Sep 24, 2021 at 11:32 PM
Subject: Opposed to Cannabis Opt-in for Red Hook
To: <rmckeon@redhook.org>, <jeanandbill97@gmail.com>, <bhamel@redhook.org>, <ckane@redhook.org>, <jtesta@redhook.org>

Dear Supervisor McKeon, Deputy Supervisor O' Neill, and Town Council Members Hamel, Kane, and Testa,

I hope this email finds all of you well. My husband and I have lived in Red Hook for almost 35 years and have raised our 2 children here. I'm a working musician and have been a community volunteer for many years. One of the organizations I volunteer for is a local drug/alcohol prevention and education organization called the Northern Dutchess Community Coalition (NDCC). As an involved community member, it's very disconcerting to me that I hadn't heard anything about the possibility of cannabis dispensaries and on-site consumption sites coming to Red Hook until I recently read about it in a newspaper article online. I'm concerned that other community members are also unaware of the decisions before you even though it will impact our community tremendously.

I understand that NY state has changed cannabis laws and that people will be able to purchase it for recreational use in other communities and possibly online. I also understand the tax benefits to Red Hook that some may feel are a priority. In my opinion, having cannabis dispensaries and on-site consumption sites in Red Hook is totally counterintuitive to local drug prevention efforts and will have very negative longterm consequences for our community. I'm especially concerned about the exposure young adults in our community will have with easy access to cannabis and the normalization of getting high at a time in our history when drug abuse is rampant.

For those of you who know me personally, I hope you have found me to be a reasonable and conscientious community member. I strongly oppose Red Hook opting in to having cannabis dispensaries and on-site consumption sites in our community. I hope you will push out information to find unheard voices because I assure you that I'm not the only one who feels this way. I hope you will consider my input in your decision making process and I would appreciate hearing back from you for further discussion.

With thanks and respect,

Maggie Rothwell
29 Echo Valley Road
Red Hook, NY

Town Clerk

From: PREYER BLAKNEY <r5onthewall@gmail.com>
Sent: Tuesday, September 28, 2021 3:33 PM
To: Town Clerk; Town Supervisor; info@redhooknyvillage.org;
ksmythe@redhooknyvillage.org
Subject: cannabis proposal

Greetings Town and Village board members,
We both agree that a cannabis store is a good business opportunity for Red Hook and its residents.
Thank you for considering our opinion.
Sincerely,
Kelly Preyer and Jim Blakney

Town Clerk

From: Salina Rodriguez <salinarod1@yahoo.com>
Sent: Friday, October 1, 2021 1:23 PM
To: Town Clerk
Subject: RE: Cannabis

Good Afternoon,

I am writing to give my opinion in regards to possible cannabis stores in Red Hook.

I have live here over 25 years and I am opposed to this decision mainly because I am extremely worried about people smoking and driving.....a set up for serious accidents or worse.

I still suffer from PTSD after my daughters accident which caused her to have to go through 5 different brain surgeries.....this accident was not due drinking or smoking so I can't imagine how possibly being high would impact anyone possibly driving.

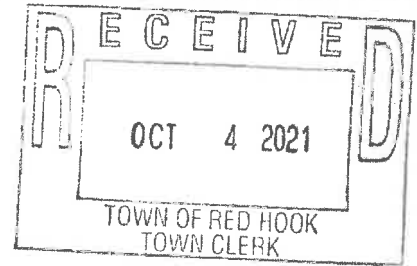
I look forward to your feedback.

Thank you.
Salina.

Sent from Yahoo Mail on Android

Town Clerk

From: Gretchen Werner <gr.werner@yahoo.com>
Sent: Sunday, October 3, 2021 9:11 AM
To: Town Clerk
Subject: Cannabis in Red Hook



To Robert McKeon and the concerned people of Red Hook,

I want to express my concerns about a cannabis dispensary and lounge in Red Hook. Although I don't oppose the recreational use of cannabis, I do think the nature of such a facility is in opposition to the hard work of the citizens who have been trying to combat the tragic outcomes of the excessive use of drugs and alcohol including overdose and suicide. I experienced this last week with a former student and there are no words to describe the tragedy. I have a long history of what is now known as the Red Hook Community Center that houses the Community coalition against the opioid crisis and Narcotics Anonymous. I hope you are actively seeking the input from both groups. My father helped build that building back in the 1980's to become a church and school. A great asset to our community. Later Dr. Verilli bought the building to become an outreach where young people repair bicycles and do woodworking, the elderly enjoy meals, a stable, family friendly environment that promotes healthy living whose primary function is an alternative to drug use.

I realize some of our farming has turned to producing distilleries and people are attracted to apple picking while sipping hard cider. I also know that hops and cannabis are viable crops. I believe that if a person wants to legally consume cannabis in their home or yard that is their personal choice. However, I am very concerned for college students under age 21, our high schoolers having more access to these substances. I am also concerned about the input from new or temporary residents such as college students or faculty or residents who have migrated here within the past few years. I have been a Dutchess County resident for 60 years and I have seen the changes take place. I would respectfully ask you to get the input from multi-generational families that are not users of cannabis. This is our collective community. One they have known and loved for decades. Their fathers were the farmers that tilled the land that now grows cannabis. Please consider their input to grow this community in a healthy way as our farmers grow crops by nourishing the land. Is this proposal helpful in growing a healthy community here in Red Hook?

I was at Kesicke farm last weekend enjoying all the activities. Multi-generational families in a wholesome environment. My daughter enjoyed raising goats and Llamas in the 4-H club with the McKeon family in Red Hook. That is the bountiful nature of Red Hook. I hope you will get the input of police, pastors, and school administrators to correctly identify the risks associated with a cannabis lounge and dispensary. Will this help or hinder their goals?

Finally, as a Christian I want to identify a verse in the book of Corinthians that fits appropriately for my understanding. "All things are permissible, but not all things are beneficial. Let no one seek his own good, but the good of his neighbor." I live in a multi-generational neighborhood with 3rd generation families ages 1 - 94. I implore you to get input from parents and grandparents and mothers of children who have lost children to excessive drug use. What are we promoting?

Most respectfully and sincerely,
Gretchen Werner
mother of an 18 year old daughter

Town Clerk

From: Evanne Heath <evangeline.heath@gmail.com>
Sent: Monday, October 4, 2021 12:47 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

As a resident of the Town of Red Hook, I am registering my opposition to allowing cannabis dispensaries and lounges allowing on-site consumption in the town and villages of Red Hook. My reasons are as follows:

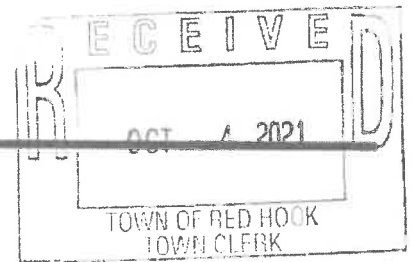
- 1) Increase tax revenue is not a guarantee. Without knowing which neighboring municipalities are opting in, increased traffic and revenue is not guaranteed. If there's lots of places to buy pot, why come to Red Hook? If there is both a lack of meaningful revenue created, and an increased risk and opportunity for substance abuse among town residents, especially minors, this will be a lose/lose proposition.
- 2) Increased foot traffic to village businesses not guaranteed. If zoning puts dispensaries outside the village, it wouldn't necessarily drive foot traffic into town. People will most likely get their pot and leave, especially because traffic in town can get so backed up. Again, the cost/benefit analysis stated above makes marijuana shops a losing enterprise for our town.
- 3) Increased access to yet another normalized highly addictive substance would be a tragedy. There is no shortage of adults who will buy illegal substances for kids. Additionally, those charged with teaching, raising and supervising the youth of this town should not be naive about how easy covert consumption of cannabis is. Popping a gummy, or sneaking a toke on a smokeless, odorless vape before class would be undetectable by parents and other authority figures. It is much easier to hide than guzzling alcohol.
- 4) Minors don't need a safe place to buy drugs. The argument that at least it will be legal and transparent (kids won't have to go to drug dealers to get it) is ridiculous. Essentially that translates to, "The kids really need a safe place to buy drugs." Having to engage with a criminal element is a huge deterrent for most kids and greatly reduces the prevalence of drugs in the community. Further, seeing cannabis normalized by adults will make it an option for kids who wouldn't have otherwise considered it.
- 5) On site consumption licenses would make the roads much more hazardous for everyone. We are a driving community. We already have a huge problem with roadside breweries (whoever thought of that idea?).
- 6) If Red Hook opts out, we can always opt in later when we see how it plays out in other towns.

Thank you for taking my opposition into consideration as the Town Board gathers information to make this highly consequential decision for our town.

Sincerely,
Evangeline Heath
12571

Town Clerk

From: Lauren Pohl <lauren_pohl2@yahoo.com>
Sent: Sunday, October 3, 2021 2:45 PM
To: Town Clerk; Town Supervisor
Subject: Local Law No. E (Opt Out Cannabis Retail/Consumption Establishments)- thoughts from a concerned resident



I am writing as a resident of Red Hook and parent of two young children. I am strongly against allowing cannabis dispensaries and lounges anywhere in Red Hook and ask that the Town Board opt out. I am concerned for a number of reasons including how increased traffic will negatively impact the safety of our children and other residents. Red Hook's rural nature and the ability of our residents to walk and bike without increased traffic from transitory people who would inevitably come here for access to cannabis would be negatively impacted unless we opt-out. I constantly hear from other parents that people drive too quickly on or near the Village roads. I also do not think it is prudent to allow these establishments in the Village (or anywhere in RH) which is so close to the schools.

I understand that the EDC surveyed commercial establishments on this topic. While business owners may be incentivized by increased potential business, those of us who live here and are not economically motivated but rather concerned with the health and safety of our families and community should also have our views taken into account. I have seen the traffic in Great Barrington and people lining up to buy cannabis and question if this is what our township really wants.

For these reasons I hope that the Town Board opts out. The increased business to the Village will come at a very steep cost to the rest of us. Please feel free to read my thoughts at the meeting this week.

Lauren Pohl
Benner Road, RH

Town Clerk

From: Clio Chang <its.clio.chang@gmail.com>
Sent: Thursday, October 7, 2021 11:48 AM
To: Town Clerk
Subject: Allow retail cannabis in Red Hook

Dear Town Clerk,

I Clio Chang would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook. It would be great for our town and cut down the long driving time I currently have to do to purchase cannabis. Thank you!

Sincerely,
Clio

Town Clerk

From: Rian Bodner <rianbodner@me.com>
Sent: Thursday, October 7, 2021 12:21 PM
To: Town Clerk
Subject: cannabis dispensaries

Dear Town Clerk,

I Rian Bodner, would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

Sincerely,
Rian Bodner
Hudson Valley Resident

Town Clerk

From: chris wilmoth <cwilmoth2008@gmail.com>
Sent: Thursday, October 7, 2021 12:47 PM
To: Town Clerk
Subject: "Local Law No. E (Proposed) of 2021"

Dear Town Clerk,

As a Red Hook Resident I Chris Wilmoth would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

Sincerely
Chris Wilmoth
Red Hook NY

Town Clerk

From: Yael Haskal <yael@nynf.org>
Sent: Thursday, October 7, 2021 12:44 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Dear Town Clerk,

As a New Yorker who spent years living in the Hudson Valley, I'd like to voice my support to allow cannabis dispensaries and onsite cannabis consumption establishments within the town of Red Hook. Safe and legal cannabis consumption provides recreational and economic benefits to folks from many walks of life, and would do a great deal more good in the Hudson Valley than harm.

Sincerely,
Yael Haskal

Town Clerk

From: Joshua Fesi <joshuafesi@gmail.com>
Sent: Thursday, October 7, 2021 1:47 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Dear Town Clerk,

My name is Joshua Fesi and I am writing to express my support of Local Law No. E (Proposed) of 2021 and for allowing cannabis dispensaries, as well as establishments for on-site cannabis consumption, within the town of Red Hook.

If you have any questions or need further information, I'd be happy to oblige.

Sincerely,
Joshua Fesi

Town Clerk

From: Matt B <matthewbobbins@gmail.com>
Sent: Thursday, October 7, 2021 1:41 PM
To: Town Clerk
Subject: Cannabis Dispensaries

Hello Town Clerk of Red Hook,

I, Matthew Bobbins, would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook. I believe not only would this bring revenue to the town and the district, but would allow for new job opportunities, new businesses ventures, and would also be a well received addition to the amenities that the Hudson Valley already brings. There are many artisans and craftsmen, construction, builders, etc. that have annexed into the HV in the past two years, and this would be a great time to offer another reason to bring in new bodies, new money, and new tourism.

Sincerely,
Matthew

Town Clerk

From: Lawrence Moss <lawrence.moss@gmail.com>
Sent: Thursday, October 7, 2021 1:32 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Dear Ms. Cochran,

I would like to express my support TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

Sincerely,

Lawrence Moss
13 Maple Lane
Ancramdale, NY 12503

Town Clerk

From: Julia Melfi <julia@nynf.org>
Sent: Thursday, October 7, 2021 12:34 PM
To: Town Clerk
Subject: Allow Cannabis Establishments

Dear Town Clerk of Red Hook,

My name is Julia Melfi. I live in Brooklyn, NY but spend a lot of time Upstate. I would like to voice my desire to allow or opt into cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

Sincerely,
Julia

Town Clerk

From: Gabriel Spector <grspector@gmail.com>
Sent: Thursday, October 7, 2021 4:14 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Town Clerk,

I am writing to express my support for ALLOWING cannabis dispensaries and on-site cannabis consumption establishments within Red Hook. I know so many people who suffer from chronic pain who cannot take standard over-the-counter painkillers, and having these kinds of establishments would really make a huge difference in making their lives more liveable.

Sincerely,

Gabriel Spector

Town Clerk

From: Chris Davies <daviesnewyork@gmail.com>
Sent: Thursday, October 7, 2021 3:25 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Town Clerk,

I would like to voice my desire to allow cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook. There is broad support across the nation and important economic and health benefits to the areas who have forged ahead. If Great Barrington can step up, certainly Red Hook can. I hope the town of Red Hook can move gracefully into the future.

Sincerely,

Chris Davies

--



CHRIS DAVIES JEWELS
VISIT chrisdaviesnewyork.com

DIRECT 917-439-9125
STUDIO 212-889-0447

Town Clerk

From: fintan rowan mason <fintancreates@gmail.com>
Sent: Thursday, October 7, 2021 3:09 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Follow Up Flag: Follow up
Flag Status: Flagged

fintan rowan mason
they/them
video editing + animation
natnif.net
Dear Town Clerk,

I would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

Sincerely,

fintan rowan mason
they/them
video editing + animation
natnif.net

Town Clerk

From: Dino Davaros <dinodavaros@gmail.com>
Sent: Thursday, October 7, 2021 2:29 PM
To: Town Clerk
Subject: Allow the sale of cannabis in Red Hook

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Town Clerk,

I Dino Davaros would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

Sincerely,

Dino

--

Dino Davaros
(917)-842-2671
frenchkissbakery.com

Town Clerk

From: Michkabibble <yefefiyah@gmail.com>
Sent: Thursday, October 7, 2021 3:03 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Town Clerk,

I, M Miller, would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

Sincerely,
M Miller
(Pronouns they/them)

Town Clerk

From: seth garben <sgarben@gmail.com>
Sent: Thursday, October 7, 2021 2:51 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Town Clerk,

I would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

It would be good for the local economy, and good for the health of the town!

Sincerely,

--

— *While this machine is to him, Seth*
www.SethGarben.com

Town Clerk

From: Tyler Armey <tylerarmey@gmail.com>
Sent: Friday, October 8, 2021 10:39 AM
To: Town Clerk
Subject: Please note "Local Law No. E (Proposed) of 2021" in the subject.

Dear Town Clerk,

I, Tyler Armey, would like to voice my desire TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.

Sincerely,
Tyler Armey

Town Clerk

From: Aidan Dorrian <adorrian@berklee.edu>
Sent: Friday, October 8, 2021 3:22 PM
To: Town Clerk
Subject: Local Law E

Hi there!

I hope this email is finding you well. I'm just writing to you today in regards to a cannabis dispensary in the town of Red Hook. I believe that opening a cannabis dispensary in Red Hook would have immeasurable benefits to the community, including increased revenue for the town, new visitors, patrons to local businesses, and so forth. I also believe that it will ESPECIALLY combat the Illegal Black Marketplace, and therefore make it more difficult, if not impossible, for those underage to have access to cannabis. Cannabis has many, many beneficial properties attached to it, which are scientifically proven in countless studies throughout the years. I truly believe that opening a cannabis dispensary will make our community a better place, and put a huge hamper on the black marketplace. I look forward to visiting and becoming a patron one day!

All the best,
Aidan Dorrian

Town Clerk

From: Brian Lange <blange747@gmail.com>
Sent: Friday, October 8, 2021 3:38 PM
To: Town Clerk
Subject: Local law E

Dear Town Clerk,

I support allowing a cannabis dispensary to open and operate a business in Red Hook. The benefits to local shops and businesses and tax revenue would be very beneficial to Red Hook and the surrounding communities.

Brian Lange

Town Clerk

From: Matthew Carnicelli <mcarnicelli100@gmail.com>
Sent: Friday, October 8, 2021 4:03 PM
To: Town Clerk
Subject: Local Law #e

Dear Sir/Madam:

I'm writing to express my strong support for allowing the town of Red Hook to have cannabis dispensaries within its borders. It's the right thing to do and the town would greatly benefit financially from it through taxation.

Best,
Matthew Carnicelli

Sent from my iPad

Town Clerk

From: Frank Migliorelli <frankmigliorelli@gmail.com>
Sent: Friday, October 8, 2021 4:31 PM
To: Town Clerk
Subject: Local law e

I support the cannabis sales in Red Hook thanks

Town Clerk

From: susan <susangioia17@gmail.com>
Sent: Saturday, October 9, 2021 10:38 AM
To: Town Clerk
Subject: Local Law #E

Good Morning,

I heard that the town is deciding about bringing in a cannibas dispensary. I am 69 years old, and live in Pine Plains. I enthusiastically urge you to:

OPT IN

and I will put my trips to Hannaford together with an occasional dispensary purchase and support the Red Hook economy!

Susan Puiatti
217 Stissing Mountain Rd, Pine Plains, NY 12567
518 398 7464

Town Clerk

From: Samuel Rose <sbr8@yahoo.com>
Sent: Saturday, October 9, 2021 12:38 PM
To: Town Clerk
Subject: Local Law E opt in

To Whom It May Concern:

I would like to voice my support of opting in for legal cannabis sales in Red Hook.

I believe the benefits out-way any negative issues.

Thank you

Samuel Rose
20 Grandmour Dr
Red Hook NY 12571
845-663-0057

Sent from my iPhone

Town Clerk

From: Larry Kaagan <lkaagan@gmail.com>
Sent: Saturday, October 9, 2021 6:39 PM
To: Town Clerk
Subject: Local Law #E (proposed) of 2021

I strongly believe that there is both a financial (tax revenue) and social equity rationale for allowing Red Hook to host, and regulate, cannabis dispensaries. It will surprise nobody that those adults already interested or inclined to consume marijuana or its derivative products are taking their consumer dollars to other locations, whether in New Jersey, Massachusetts or elsewhere, where recreational cannabis is already available. Those tax dollars, for the benefit of the Red Hook community, should be kept "at home" as much as possible. The laudable push to "buy local," especially during the gruelling months of the Covid pandemic, are instructive in pointing to ways in which the community can benefit from business activities that might otherwise go far afield.

Red Hook allows wine-shops, and alcohol of all sorts is widely available in retail locations. Ask any police official (as I have), and you will hear that alcohol is more of a "social problem" than cannabis is, or ever would be. Driving while impaired (by anything) is, and should, remain illegal. Sales to minor children is, and should, remain illegal. Being "busted for possession of pot" was as absurd as prohibiting having a glass of wine with dinner. Would some students from Bard find ways of circumventing rules and buy cannabis? They already do.

I am not a young hipster. I am 70 years old, and have myself benefitted from cannabis consumption when undergoing chemotherapy. I will not mind being "carded" for proof of age. I think Red Hook should avail itself of the opportunity to license, regulate and benefit from retail sale of cannabis to adults.

=Lawrence Kaagan
Rowe Rd, Red Hook

Town Clerk

From: Linda Lindsay <linda.mc.lindsay@gmail.com>
Sent: Saturday, October 9, 2021 7:00 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Dear Town Clerk, I live in the town of Red Hook and own a few buildings in the town of Red Hook. I think the tax revenue generated by a Cannabis dispensary would be helpful to our town and I would like to Opt in or vote yes to have a Cannabis dispensary approved. Thank you for your consideration.

Best, Linda Lindsay

--

Linda Lindsay
Associate Broker
Corcoran Country Living
Rhinebeck Brokerage

Town Clerk

From: kate fox <katenembot@gmail.com>
Sent: Monday, October 11, 2021 9:59 AM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Hello,

I would like to write in strong support of public dispensaries being legal in the town of Red Hook, NY. It is a guaranteed cash influx to the town, and will no doubt be an unprecedented boost to the local economy.

The history of marijuana is an unfortunate one, and we have a unique opportunity as a state to rewrite it. Even more promising, however, is our own community's opportunity to cultivate a new story around this plant - one that is thoughtful, cautiously optimistic, and self-funding. We have an immediate presence of buyers thanks to Bard College, and a wealth of generational local farmland from which the dispensary can purchase raw materials. The presence of work and capital within this opportunity is magnificent.

To quote town resident Shelton Lindsay, "any business person wanting to invest in a Cannabis business will simply move to the next town." To sit back and wait is not the correct approach. We must seize this opportunity for what we know it is, and trust in our community that we are wise enough to succeed.

I would also like to thank Shelton Lindsay profusely for the informational pamphlet sent out. I hope we may all see the facts speak for themselves: this is not an opportunity to miss.

Thank you for your time.

Kate Fox
Red Hook Resident

--

Kate Fox
860-575-3435

Town Clerk

From: Jill Freshney <jillfreshney@gmail.com>
Sent: Monday, October 11, 2021 10:01 AM
To: Town Clerk
Subject: Local Law E /NYS Cannabis Law

My husband and I are Red Hook residents and are writing in support of opting in to the NYS Cannabis Law § 131 allowing retail cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook. We feel the business brought to the area and additional funding through taxes would be highly beneficial to Red Hook, and having seen businesses operated very professionally in other states do not have any concerns about having them in Red Hook.

Yours sincerely,

Jill Freshney & Rob Steen
330 Budds Corners Rd

Town Clerk

From: frankvitolo61 <frankvitolo61@gmail.com>
Sent: Monday, October 11, 2021 11:35 AM
To: Town Clerk
Subject: Local law #E of 2021

This is Frank and Susan Vitolo of 59 Pitcher lane. Please opt in to receive tax revenue, and allowing dispensaries for the sale of cannibus in Redbook. Thanks

Sent via the Samsung Galaxy S10e, an AT&T 5G Evolution capable smartphone

Town Clerk

From: Lorrie Renz <lmr125@live.com>
Sent: Monday, October 11, 2021 12:24 PM
To: Town Clerk
Subject: Local Law No. E

I would like Red Hook to opt IN to Local Law no E to allow retail cannabis dispensaries and on-site cannabis consumption establishments within the town of red hook outside of any village. I believe this will increase traffic for local businesses and will provide Red Hook with additional tax revenue.

Lorrie Renz

Town Clerk

From: Ben Porcaro <bensautorepair@yahoo.com>
Sent: Monday, October 11, 2021 12:23 PM
To: Town Clerk
Subject: Local Law No. E

I would like Red Hook to opt IN to Local Law no E to allow retail cannabis dispensaries and on-site cannabis consumption establishments within the town of red hook outside of any village. I believe this will increase traffic for local businesses and will provide Red Hook with additional tax revenue.

Ben Porcaro

Town Clerk

From: Shelton Lindsay <shelton.p.lindsay@gmail.com>
Sent: Monday, October 11, 2021 12:31 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

Dear town Clerk and people of Red Hook,

My Name is Shelton Pritchard Lindsay and I have lived in the area on and off my whole life. I love the Hudson Valley. I believe that allowing the sale and growing of cannabis in Red Hook would provide amazing opportunities for the community, specifically on allowing the town to be at the start of the green gold rush. The money from taxing the sale of Cannabis can also go to support so many amazing initiatives, while also helping us keep more of the Hudson valley as Farmland.

I strongly support opting into Cannabis sales in our town.

Thank you

--

--

I am a Neo-Futurist

I have a website

I have a cell phone 845-750-8985

--

Town Clerk

From: Suzanna Hermans <suz414@gmail.com>
Sent: Monday, October 11, 2021 1:19 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

To the Red Hook Town Board,

As a longtime resident of the Town of Red Hook and a local business owner, I am in support of cannabis dispensaries being legal in our town. This is not only a financial opportunity for us, but would also signal that Red Hook is a welcoming place for diverse groups of people. With a limit on the number of dispensary licenses that the State is issuing, it makes sense to me that Red Hook should jump on board so that we are one of the first communities in line.

Thank you for your time.

-Suzanna Hermans

Town Clerk

From: Bryen Pittner <bryen.pittner@yahoo.com>
Sent: Monday, October 11, 2021 1:43 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021 - NYS Citizen Support

Dear Town Clerk,

I Bryen Pittner would like to voice my desire **TO ALLOW or OPT INTO cannabis dispensaries and on-site cannabis consumption establishments within the town of Red Hook.**

Sincerely,
Bryen Pittner

Town Clerk

From: Twocogs Cognitoire <twocogs@gmail.com>
Sent: Monday, October 11, 2021 3:39 PM
To: Town Clerk
Subject: Local Law #E

I want to opt in!

Thank you,

Diane Cognitoire

Sent from [Mail](#) for Windows

Town Clerk

From: Michael Cognitoire <twocogs@gmail.com>
Sent: Monday, October 11, 2021 3:41 PM
To: Town Clerk
Subject: Local LAW #E

Hello,

I want to opt in.

Thank you.

Michael Cognitoire

Sent from Mail for Windows

Town Clerk

From: Maggie Rothwell <kmgthroth@aol.com>
Sent: Monday, October 11, 2021 7:38 PM
To: Town Clerk
Subject: Local Law No. E (Proposed) of 2021

If you read community members' comments into the record, please read the following email at your 10/12 public comment period. Thank you.

Dear Supervisor McKeon, Deputy Supervisor O' Neill, Town Council Members Hamel, Kane, Testa, and Town Clerk Cochran,

Thank you for all that you do for our community. Unfortunately, I won't be able to log-in for the 10/12 Town Board meeting due to an out of town funeral I will be attending. As you know from the 2 emails I've previously sent you, I am opposed to Red Hook allowing cannabis dispensaries and on-site consumption establishments. I understand the economic difficulties our town faces. I don't think the solution will be found in the sale of cannabis that will very possibly be detrimental to the health and safety of our youth and community. I know that communication can be challenging but I also don't think that the community at large has been notified in a meaningful way of this important issue. I urge you to opt-out now and have an inclusive community conversation should cannabis dispensaries and on-site consumption establishments be considered in future planning for Red Hook.

Respectfully,
Maggie Rothwell

Town Clerk

From: Amy Linker <linker.amy@gmail.com>
Sent: Tuesday, October 12, 2021 6:48 AM
To: Town Clerk
Subject: Opt-in Local law E

Hello,

I would like to express my support for Opting In for Local Law E, cannabis dispensaries in Red Hook.

Thank you,
Amy Linker
Red Hook resident

Legalization of Marijuana

For Dispensaries and Lounges

New York State, through the Marijuana Regulation and Taxation Act (MRTA) [Cannabis Law Article 4], has legalized the possession and use of cannabis. However, the regulated retail sale of adult-use cannabis is not expected to begin until late 2022 or early 2023.

The State regulatory framework being created is analogous the Alcoholic Beverage Control Law and the New York State Liquor Authority. The framework is not complete, but several components are known.

- There will be retail stores (sometimes called dispensaries – analogous to wine and liquor stores) and on-site consumption sites (sometimes called lounges – analogous to bars).
- The State is prohibiting retail sale and/or on-site consumption within 500 feet of a school and 200 feet of a house of worship (analogous to alcohol sales laws).
- All cannabis sales will be subject to a 4% local sales tax which will be distributed to the county where sales take place. Counties are entitled to retain 25% of the local tax collected and must distribute the remaining 75% to the municipalities within the county in proportion to sales in each locale. (Communities without sales will not receive revenue.)
- If a retail dispensary is located in a village within a town that also permits cannabis retail sales, the county must distribute the monies attributable to such retail dispensary to the town and village as agreed upon by the governing bodies of those local governments. In the absence of such an agreement, the county must evenly divide the monies between the town and village. The moneys will be distributed on a quarterly basis.
- Under State law, cannabis smoking and vaping is treated the same as smoking or vaping tobacco products and is prohibited in all the same places.
- Towns and villages may pass local laws and land use regulations governing the time, place and manner of the operation of retail dispensaries and/or on-site consumption sites, provided such laws or regulations do not make operations unreasonably impracticable.
- Peace officers will be able to inspect all licensed or permitted premises and all records of licensed operators.

At the local level, State law for retail and on-site consumption will be deemed automatically opted-in; unless the municipality passes a local law (opt-out) subject to permissive referendum preventing cannabis sales prior to December 31, 2021.

If the municipality opts-in; retail and/or on-premises sales cannot be prohibited but can be subject to local zoning, which cannot place unreasonable restraints on the business. Other aspects of marijuana production and distribution have been pre-empted by state law and cannot be prohibited.

If the Town opts-out, then it may opt-in later, but the Town cannot opt-out of either retail sales or lounges unless it passes a local law.

- To effectuate the opt-out, such local governments must adopt a local law subject to a permissive referendum on or before December 31, 2021.
- No city, village or town may opt-out after December 31, 2021.

Issues with Opting-in:

- Our current Town Code does not specifically address cannabis sales or lounges or production of marijuana.
- Would dispensaries be considered a retail use under current zoning code?
- How are lounges, if permitted, to be regulated?
- Is the cannabis – alcohol regulations analogy useful?



Legislation at Lunch The Marihuana Regulation and Taxation Act

April 5, 2021 Happy Dyngus Day!

Presented by

Sarah Brancatella, Counsel & Legislative Director

Topics for Today

- General overview of MRT
- State structure
- Different types of licenses and how they interact with towns
- Personal cultivation
- Smoking
- Social equity issues
- Not getting in the weeds



MRT Overall

Legislates three different categories of products

1. Adult Use Cannabis
 2. Medical Cannabis
 3. Hemp / Cannabinoid Hemp (aka CBD)
- Significant changes to the Penal Code
 - Significant changes to Tax Law
 - Changes to Public Health Law



The Basics (Colloquially)

THC – the stuff that gets you high (technically a compound found in a cannabis plant)

Cannabis – Cannabis plant with THC level above .03 (technically 3 different types of cannabis plants)

Hemp - Has THC level below .03 (technically a type of cannabis plant - specifically Cannabis Sativa L)

Not legal definitions



Control Board

Cannabis Control Board (CCB)

- 5 member board; chairperson and 2 others appointed by Gov; 1 by Senate president; 1 by Assembly Speaker (CL § 7[1],[2])
- Duties include
 - Grant/revoke/limit licenses (CL § 10 [1]-[3])
 - Draft regulations (CL § 10[4],[16]; § 13)
 - Prepare an annual report basically on how things are going (CL § 10 [17])
 - Full list Cannabis Law § 10 (1)-(23)



Office of Cannabis Management

Office of Cannabis Management (OCCM) established within Division of Alcohol Beverage Control (CL § 8)

- Executive Director appointed by CCB (CL § 9)
- Basic function is to assist CCB, review applications and make recommendations to the CCM on license applications
- Maintain records and perform inspections
- Full list on CL § 11



Equity Officer and Advisory Board

State Equity Officer (CL § 12)

- Help CCM and OCM develop and implement social equity plan (more on that later)
- Establish public education programming for certain communities on licensing process

State Cannabis Advisory Board (CL § 14)

- 13-member board: gov has 7 appointments, senate leader -3, assembly leader – 3
- Ex officio reps from Ag and Markets, DEC, DOL, Office of Children and Family Services, DOH, DOE, Division of Housing and Community Renewal
- Advise and issue recommendations on medical, adult use, and hemp
- Administer community grants reinvestment fund (more on that later)



Medical Cannabis

- Patients can be certified by a practitioner that patient has a condition would benefit from medical cannabis (CL § 30)
 - Conditions defined – includes cancer, MS, Parkinson’s, PTSD, and “any other condition certified by a practitioner” (CL § 3[18])
- OCM will issue registry identification cards to patients or designated caregivers (CL § 32)



Medical Cannabis

- Medical cannabis distributed by “registered organizations” (CL § 34)
 - Registered organizations may also be licensed to sell adult-use (CL § 39)
- Difference between medical cannabis and adult use cannabis?
 - Nothing from a chemical standpoint
 - Patient can grow more plants at home
 - Can be under 21
- Considered a “disability” for certain purposes



Adult Use Cannabis

Multiple different types of adult use licenses

- Cultivator
- Processor
- Distributor
- **Retail Dispensary**
- Delivery
- Nursery
- **On-site consumption**
- And more!



Retail Dispensary & On Site Consumption

- Cannot be within 500 feet of school or 200 feet house of worship (CL §§ 76[6]; 77[3])
- Only sold to 21+; cannot sell to visibly intoxicated person (CL § 85)
- Notice to municipalities (CL § 76)
 - Between 270 and 30 days before applying for a license, retail or on-site applicant has to notify municipality of intention to file
 - Goes to town clerk (or village if in village)
 - Done via certified mail, overnight delivery, or personal delivery



Retail Dispensary & On Site Consumption

Notice continued...

- Provides info like business name and DBA, address of establishment, what the application is for (including transferring of license or license renewal
- Muni has the option to submit an opinion for or against a license
- Opinion becomes part of the official application record
- Board must respond to muni with an explanation of how the opinion was considered in granting or denying the application



Retail Dispensary & On Site Consumption – Local Opt Out

- Town can adopt a local law (applicable outside village) opting out of allowing retail dispensaries and/or on-site consumption sites
- Must be adopted before 12/31/21
- Subject to a permissive referendum under Municipal Home Rule Law § 24 (CL § 131 [1])



Retail Dispensary & On Site Consumption – Local Regulations

- Town can adopt local laws placing restrictions on time/place/manner of retail dispensaries and on-site consumption establishments
- Cannot make operation “unreasonably impracticable” as determined by CCM
- Preempted from regulating anything else or any other type of license / establishment
- CL § 131 (2)



Taxing Cannabis

- In addition to licensing fees etc. new series of taxes imposed
- Some taxes based on total amount of THC in a product that a distributor sells to a retail establishment (see e.g. Tax Law § 493[a][1])
- Towns care about the 4% tax imposed on sales from retail dispensaries to consumer (Tax Law § 493 [c])



Taxing Cannabis

- Tax and Finance collects tax, distributes to comptroller, comptroller distributes to counties, counties distribute to towns/cities/villages (Tax Law § 496-b)[b][2])
- 25% of funds stay with county; 75% remaining distributed to towns, cities, and villages in proportion to sales from retail dispensaries with jurisdiction



Taxing Cannabis

- If a town and village both allow retail sales within jurisdiction and the dispensary is in the village then the money will be distributed in accordance with an agreement between the town and village
- Default is 50/50 split if no agreement
- County must distribute money quarterly no later than 30 days after getting it from Comptroller

Tax Law § 496-b[b][2]



Personal Cultivation and Possession

- 21 and older can have 3oz of cannabis or up to 24g concentrated cannabis on person (Penal Law § 222.05)
- Individual can grow 3 mature plants and 3 immature plants
- Cannot have more than 12 plants per property
- Take reasonable steps to ensure under 21 does not have access (Penal Law § 222.15)



Personal Cultivation

- Town can enact laws to “reasonably regulate the actions and conduct of [personal cultivation]”
- Violation of local law cannot exceed \$200 civil penalty
- Cannot prohibit personal cultivation
- Home growth not authorized until 18 months after the opening of the first adult-use dispensaries
- OCM will also issue regulations on personal cultivation (Penal Law § 222.15[7])



Where can you smoke?

- Can prohibit smoking cannabis where smoking is prohibited (CL § 2)
- Smoking prohibited in certain areas in accordance with Public Health Law Article 13-e
 - Bars, public transportation etc.
 - NOT allowed to smoke in vehicles
- Town can prohibit smoking overall in space like town park or town buildings



What about hemp?

- Cannabis Law Article 4 regulates manufacturing and sale of cannabinoid hemp products (products containing cannabidiol or “CBD”)
- OCM will implement basic consumer protections to ensure cannabinoid hemp products are properly manufactured, laboratory tested and accurately labeled
- Have to apply for a license to sell CBD (Cannabis Law § 93)



Social Equity Programs

- Social equity program will be put together by Social Equity Officer / CCB / OCM
- Prioritize applications from applicants from communities disproportionately impacted by cannabis enforcement, women, minorities, distressed farmers etc. (CL § 87)
- After money taken out to run cannabis program 40% of remaining money goes to state lottery program for grants for school districts
- 20% to drug treatment and public education fund
- 40% to community grants reinvestment fund

State Finance Law § 99-1kk



Questions?



(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF RED HOOK

LOCAL LAW NO. E (Proposed Revised) of 2021

A local law adopted pursuant to NYS Cannabis Law § 131 opting out of allowing on-site cannabis consumption establishments within the Town of Red Hook outside of any village.

Be it enacted by the Town Board of the Town of Red Hook as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to opt the Town of Red Hook out of allowing on-site cannabis consumption establishments within its boundaries. This law is intended to further the Town's goals of preserving quality of life and protecting the public health. The Town Board finds that prohibiting these uses will achieve the aforementioned goals and is in the public interest.

SECTION 2. AUTHORITY

This local law is adopted pursuant to NYS Cannabis Law § 131, which expressly authorizes municipalities to opt out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

SECTION 3. LOCAL CANNABIS ON-SITE CONSUMPTION OPT-OUT

The Town Board of the Town of Red Hook, County of Dutchess, hereby opts out of allowing cannabis on-site consumption establishments within its boundaries, outside the jurisdiction of any village. Pursuant to and in accordance with NYS Cannabis Law § 131, the Town Board hereby requests that the New York State Cannabis Control Board prohibit the establishment of such on-site consumption licenses within the jurisdiction of the Town outside the jurisdiction of any village.

SECTION 4. SEVERABILITY

The provisions of this local law are severable. If any provision of this local law or the application thereof to any person, firm, corporation, or circumstance is adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or impair the validity of the other provisions of

this local law or the application thereof to other persons and circumstances.

SECTION 5. PERMISSIVE REFERENDUM/REFERENDUM ON PETITION

This local law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure set forth in Municipal Home Rule Law §24.

EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Municipal Home Rule Law § 27(1).

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF RED HOOK

LOCAL LAW NO. F (Proposed) of 2021

A local law adopted pursuant to NYS Cannabis Law § 131 opting out of allowing retail cannabis dispensaries within the Town of Red Hook outside of any village.

Be it enacted by the Town Board of the Town of Red Hook as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to opt the Town of Red Hook out of allowing retail cannabis dispensaries within its boundaries. This law is intended to further the Town's goals of preserving quality of life and protecting the public health. The Town Board finds that prohibiting these uses will achieve the aforementioned goals and is in the public interest.

SECTION 2. AUTHORITY

This local law is adopted pursuant to NYS Cannabis Law § 131, which expressly authorizes municipalities to opt out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

SECTION 3. LOCAL CANNABIS RETAIL DISPENSARY OPT-OUT

The Town Board of the Town of Red Hook, County of Dutchess, hereby opts out of allowing cannabis retail dispensaries within its boundaries, outside the jurisdiction of any village. Pursuant to and in accordance with NYS Cannabis Law § 131, the Town Board hereby requests that the New York State Cannabis Control Board prohibit the establishment of such retail dispensary licenses within the jurisdiction of the Town outside the jurisdiction of any village.

SECTION 4. SEVERABILITY

The provisions of this local law are severable. If any provision of this local law or the application thereof to any person, firm, corporation, or circumstance is adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or impair the validity of the other provisions of this local law or the application thereof to other persons and circumstances.

SECTION 5. PERMISSIVE REFERENDUM/REFERENDUM ON PETITION

This local law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure set forth in Municipal Home Rule Law §24.

EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Municipal Home Rule Law § 27(1).

**TOWN OF RED HOOK
RESOLUTION NO. ____ of 2021
DATED OCTOBER 12, 2021**

**AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED
HOOK OF LOCAL LAW NO. D (PROPOSED) OF 2021
REGARDING MICRO HYDROPOWER FACILITIES**

WHEREAS, a proposed form of Local Law D (Proposed) of 2021 entitled “**Local Law No. D (Proposed) of 2021; A Local Law Regarding Micro Hydropower Facilities**” (the “Local Law”) was presented to the Town Board of the Town of Red Hook at a regular meeting held on August 25, 2021; and

WHEREAS, on August 25, 2021, the Town Board reviewed a Full Environmental Assessment Form (“FEAF”) and Coastal Assessment Form (“CAF”) and classified the proposed action as a Type I action under the State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency; and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Red Hook on August 25, 2021, setting a public hearing to be held by said Town Board on September 22, 2021 at 7:35 p.m. at the Town Hall, 7340 South Broadway, Red Hook, New York, to hear all interested parties on said proposed Local Law; and

WHEREAS, notice of said public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of said Town, on August 31, 2021, which is not less than ten calendar days prior to the date of said public hearing; and

WHEREAS, notice of the September 22, 2021, public hearing was sent to the clerks of adjacent municipalities; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, a copy of the Local Law, together with a copy of the EAF and CAF, was referred to the Dutchess County Department of Planning and Development which responded on September 14, 2021, that it was a matter of local concern; and

WHEREAS, pursuant to Section 143-141 of the Red Hook Zoning Law, a copy of the proposed Local Law, together with a copy of the EAF and CAF, was referred to the Town Planning Board which reviewed the matter at its October 4, 2021 meeting, recommended a finding that it is consistent with the Town’s Local Waterfront Revitalization Plan, and has provided a report of such recommendation to the Town; and

WHEREAS, said public hearing was duly held on September 22, 2021 and continued to October 12, 2021; and

WHEREAS, notice of said continued public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of said Town, on September 29, which is not less than ten calendar days prior to the date of said public hearing; and

WHEREAS, on October 12, 2021, the Town Board adopted a negative declaration under SEQRA, determining that the proposed adoption of the Local Law will not have a significant adverse effect on the environment and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, on October 12, 2021, the Town Board determined that the proposed Local Law is consistent with the Town's Local Waterfront Revitalization Plan; and

WHEREAS, the Town Board of the Town of Red Hook, after due deliberation, finds it in the best interests of the Town to adopt said local law, in the form attached hereto.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Red Hook as follows:

1. The Town Board hereby adopts said Local Law D (Proposed) of 2021, now referred to as Local Law No. 4 of 2021, entitled "**Local Law No. D (Proposed) of 2021; A Local Law Regarding Micro Hydropower Facilities**" in the form attached hereto and made a part of this resolution; and
2. The Town Clerk hereby is directed to enter said local law in the minutes of this meeting and in the Town Code of the Town of Red Hook, to give due notice of the adoption of said local law to the Secretary of State of New York, and to take all other actions as may be required by law.

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Red Hook

Local Law No. 4 of 2021

A local law regarding micro hydropower facilities.

Be it enacted by the Town Board of the Town of Red Hook as follows:

SECTION 1. LEGISLATIVE INTENT

This Local Law is intended to provide for the installation of micro hydropower facilities in order to further the goals of the Town's Climate Action Plan. Specifically, the Local Law: amends the Town of Red Hook Zoning Law to allow micro hydropower facilities in the Waterfront Conservation (WC) District subject to issuance of a special permit and site plan approval; and amends Chapter 100 of the Town Code entitled "Power Plan Site Studies" to exempt micro hydropower facilities from the definition of a "power plant" and from the requirements of Chapter 100." The amendments are designed to protect the health, safety, and welfare of Town residents and to bring the Town's Zoning Law into conformance with "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities" pursuant to Chapter 17 of the Town Code. The proposed amendments are consistent with the recommendations of the Town's Comprehensive Plan.

SECTION 2. APPLICATION

This Local Law shall apply within the WC District in the Town of Red Hook.

SECTION 3. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

SECTION 4. AMENDMENTS TO CHAPTER 100 OF THE TOWN CODE

§ 4.1. The definition of “Power Plant” in § 100-3 is hereby amended by inserting a new sentence at the end of the definition to read as follows:

A micro hydropower facility as defined in Section 143-4 of the Town Code shall not be considered to be a “power plant.”

SECTION 5. AMENDMENTS TO ARTICLE I OF THE ZONING LAW ENTITLED “GENERAL PROVISIONS”

§ 5.1. Section 143-4 is hereby amended by the addition of the following new definition of “Bypass Generation:”

BYPASS GENERATION — A type of micro hydropower facility in which a portion of the flow of the stream is diverted into a generator that is located alongside the original reach of the stream, and then the water is returned to the stream downstream of the dam.

§ 5.2. Section 143-4 is hereby amended by the addition of the following new definition of “Micro Hydropower Equipment Shelter:”

MICRO HYDROPOWER EQUIPMENT SHELTER — An enclosed structure within which is housed the turbine, generator unit, and related equipment for a bypass generation micro hydropower facility.

§ 5.3. Section 143-4 is hereby amended by the addition of the following new definition of “Flashboard:”

FLASHBOARD — A panel or structure of panels attached to the top of a spillway of a dam to increase its reservoir capacity. Flashboards are either manually removed or are designed to fail after being overtopped so that flood waters can pass over the dam spillway.

§ 5.4. Section 143-4 is hereby amended by the addition of the following new definition of “Micro Hydropower Facility:”

MICRO HYDROPOWER FACILITY — A water energy conversion system with a rated capacity to generate not more than 100 kilowatts (kW) of electric power, consisting of a turbine, generator,

associated control or conversion electronics, electrical infrastructure, and water conveyance structures (a channel and/or penstock). The purpose of a micro hydropower facility is to provide electrical power to be consumed on site or to provide power to be shared with other power customers.

A micro hydropower facility shall be designed to work with the natural flow of the stream (“run-of-river”) either by placing a generator in the existing stream or spillway of the stream (“in-stream generation”) or by diverting a portion of the flow of the stream into a generator alongside the original reach of the stream and then returning the water to the stream downstream of the dam, referred to as “bypass generation.” A micro hydropower facility does not include a facility that artificially impounds water, with the exception of the use of flashboards as provided in § 143-107.1H.

§ 5.5. Section 143-4 is hereby amended by the addition of the following new definition of “Run-of-River:”

RUN-OF-RIVER — Run-of-river is an operational mode of a micro hydropower facility in which power is generated by the elevation drop in free-flowing water without mechanical manipulation to increase the height of the dam or the reservoir size, except the use of flashboards as provided in § 143-107.1H.

SECTION 6. AMENDMENTS TO ARTICLE III OF THE ZONING LAW ENTITLED “USE REGULATIONS”

§ 6.1. Section 143-11A of the Code is hereby amended by replacing the District Schedule of Use Regulations, attached to the existing Code as 143 Attachment 1 with an amended and restated “143 Attachment 1, District Schedule of Use Regulations,” annexed hereto as Attachment A.

SECTION 7. AMENDMENTS TO ARTICLE VI OF THE ZONING LAW ENTITLED “SPECIAL PERMIT USES”

§ 7.1. Article VI is hereby amended by the addition of the following new § 143-107.1:

§ 143-107.1. Micro Hydropower Facility.

Micro hydropower facilities shall be allowed by special permit in the Waterfront Conservation (WC) District, provided that:

- A. A micro hydropower facility may be either a principal use or an accessory use. The special permit shall specify whether the use is principal or accessory.
- B. A micro hydropower facility shall not count toward the number of principal or accessory uses permitted on the property.

- C. A micro hydropower facility shall demonstrate compliance with the requirements set forth in § 143-30 of this chapter, but without the need for a separate special permit.
- D. A micro hydropower facility shall demonstrate compliance with the requirements set forth in § 143-111 of this chapter, but without the need for a separate special permit, provided that micro hydropower facilities shall be exempt from the requirements of § 77-18A(2).
- E. A micro hydropower facility shall be exempt from the requirements set forth in § 143-47D(1).
- F. A micro hydropower facility located in the HL-O District shall demonstrate compliance with the requirements set forth in §§ 143-45 and 143-46.
- G. A micro hydropower facility and the associated micro hydropower equipment shelter shall be exempt from the extraordinary front yard setback requirement set forth in § 143-48B(1), and shall comply with the regular setback standards to the extent practicable.
- H. A micro hydropower facility shall only be permitted to operate as run-of-river; no change in impoundment size or of the river flow post-bypass shall be permitted, with the exception of changes resulting from the use of flashboards as expressly permitted by the New York State Department of Environmental Conservation, pursuant to the Environmental Conservation Law and the regulations thereunder.
- I. Turbines, generators, and other equipment that emit noise from a bypass generation micro hydropower facility shall be housed in a micro hydropower equipment shelter or shall be housed in sound insulated materials to mitigate impacts of noise. Such equipment shall comply with the applicable limits provided in Chapter 92 except to the extent that ambient noise levels are determined to exceed such limits and in such case the noise taking into account the turbines, generators, and other equipment associated with a micro hydropower facility shall not exceed ambient noise levels by more than 5 dBA.
- J. Any equipment shelters and unenclosed equipment, machinery, and utility infrastructure associated with a micro hydropower facility shall be provided with a fence, screen, and/or landscaping, where deemed necessary by the Planning Board, sufficient to protect public safety and to screen such equipment from view year-round from existing residences, adjoining properties, and public rights-of-way. The retention and enhancement of existing vegetation, the introduction of substantial new vegetation, and the introduction of earthen beaming shall be considered the preferred means to satisfy these screening requirements. Any required fences, screens, and landscaping installed in accordance with this section shall, as a condition of the special permit, be maintained in good order to achieve the objectives

stated herein throughout the duration of the use. The Planning Board shall determine the types of plant materials and depth of the needed buffer based on site conditions.

- K. Adequate access for service vehicles shall be provided. Existing roads, driveways, or trails are the preferred method of providing access. Road construction, where required, shall minimize ground disturbance and cutting of vegetation to the maximum extent practicable. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce the potential for soil erosion.
- L. A micro hydropower facility shall provide for the safe, timely, and effective upstream and downstream passage of migratory fish to the extent determined by the Planning Board consistent with Federal and State laws in order to allow for the continuation of healthy and sustainable fish and other wildlife resources in areas affected by the facility.
- M. All power transmission lines shall, to the extent practicable, be located underground in accordance with National Electrical Code standards.
- N. Each special permit application submitted for the establishment of a micro hydropower facility shall include identification of any necessary federal, state, or county permits, copies of all such permit applications, and copies of all related correspondence between the applicant and the permitting agency or agencies. A micro hydropower facility shall obtain all necessary permits from such agencies as a condition of special permit approval.

SECTION 8. EFFECTIVE DATE

This local law shall take effect immediately after it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

Symbol:

P = Permitted use in specified district

SP = Special use permit required for use in specified district

X = Prohibited use in specified district

***** = Site plan required

Structure/Land Use	Zoning District											Special Permit Reference
	Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
RESIDENTIAL PRINCIPAL USES												
Single-family dwelling (existing)	P	P	P	P	P	P	P	P	P	P	P	
Single-family dwelling (new construction or adaptive reuse)	SP*	P	P	P	P	P	P	SP*	X	X	X	§ 143-53
Two-family dwelling (new construction)	X	X	X	X	X	SP	SP	P	X	X	X	§ 143-54
Two-family dwelling (conversion)	X	SP	SP	SP	X	X	SP	SP	X	X	X	§ 143-55
Multifamily dwelling (new construction)	X	X	X	X	SP*	SP*	X	X	SP*	SP*	X	§§ 143-56 and 143-57
Multifamily dwelling (conversion or adaptive reuse)	X	SP*	SP*	SP*	SP*	SP*	X	SP*	SP*	SP*	X	§§ 143-58 and 143-59
Row or attached dwelling	X	X	X	X	X	SP*	SP*	X	X	X	X	
Mobile home on individual lot	X	X	X	X	X	X	X	X	X	X	X	
Mobile home park	X	X	X	X	X	SP*	X	X	X	SP*	X	§ 143-60
Boarding- or rooming house	X	X	X	X	X	X	SP	SP	SP	SP	X	§ 143-61
Community residence	X	P	P	P	P	P	P	P	X	X	X	
Elderly or senior citizen housing complex	X	X	X	X	SP*	SP*	X	X	X	SP*	X	§ 143-62
Enriched housing for the elderly	X	X	SP	SP	SP	SP	X	X	X	X	X	§ 143-63
Large solar energy system	X	SP*	SP*	SP*	SP*	SP*	X	SP*	X	X	SP*	§ 143-37
Medium solar energy system	P*1	P*	P*	P*	P*	P*	P*1	P*	P*1	P*1	P*	§ 143-37

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Small solar energy system	P ¹	P	P	P	P	P	P ¹	P	P ¹	P ¹	P	§ 143-37
RESIDENTIAL ACCESSORY USES												
Accessory apartment within single-family dwelling structure (new construction or conversion)	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	§§ 143-64 and 143-65
Accessory apartment within separate structure (adaptive reuse)	X	SP	SP	SP	X	X	X	SP	X	X	X	§§ 143-66
Agriculture	P	P	P	P	P	P	P	P	P	P	P	
Bed-and-breakfast establishment	X	SP	SP	SP	X	X	SP	SP	SP	SP	X	§ 143-67
Cottage on residential premises	X	SP	SP	SP	SP	SP	SP	X	X	X	X	§ 143-68
Home occupation Class 1, occurring within dwelling unit	X	P	P	P	P	P	P	P	P	P	P	
Home occupation Class 2, occurring within customary accessory building on residential premises	X	SP	SP	SP	X	X	SP	X	SP	SP	SP	§ 143-69
Micro Hydropower Facility	SP*	X	X	X	X	X	X	X	X	X	X	§ 143-107.1
Private airstrip or heliport	X	X	X	SP*	X	X	X	X	X	X	X	§ 143-70
Roadside stand	P	P	P	P	P	P	P	P	P	P	P	
Large solar energy system	X	SP*	SP*	SP*	SP*	SP*	X	SP*	X	X	SP*	§ 143-37
Medium solar energy system	P* ¹	P*	P*	P*	P*	P*	P* ¹	P*	P* ¹	P* ¹	P*	§ 143-37
Small solar energy system	P ¹	P	P	P	P	P	P ¹	P	P ¹	P ¹	P	§ 143-37

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Customary accessory use or structure incidental to the permitted or special permit use and located on the same lot, as defined in § 143-4 of this chapter	X	P	P	P	P	P	P	P	P	P	P	
NONRESIDENTIAL PRINCIPAL USES (in addition to permissible home occupations and farm industries)												
Agricultural, Conservation and Open Space Uses												
Agriculture	P	P	P	P	P	P	P	P	P	P	P	
Conservation use; nature and wildlife preserves, including environmental field station	P	P	P	P	P	P	P	P	P	P	P	
Farm	P	P	P	P	P	P	P	P	P	P	P	
Golf course and country club	X	X	P*	P*	P*	X	X	X	X	X	X	
Fishing club	SP*	SP*	SP*	SP*	X	X	X	X	X	X	X	§ 143-71
Hunting club	X	SP*	SP*	SP*	X	X	X	X	X	X	X	§ 143-71.1
Large-scale commercial logging	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	§ 143-73
Small-scale commercial logging	P	P	P	P	P	P	P	P	P	P	P	§ 143-73
Outdoor recreation facility, including uses such as skiing, skating, picnicking, and outdoor camping	SP*	SP*	SP*	SP*	SP*	SP*	X	SP*	X	X	X	§ 143-72
Public park and/or trail system	SP*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	
Timber operation	P	P	P	P	P	P	P	P	P	P	P	
Community Services and Facilities; Institutional Uses												
Alternate-care facility	X	X	X	X	X	X	X	SP*	X	X	X	§ 143-74

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Congregate-care facility	X	X	X	X	SP*	SP*	X	X	X	X	X	§ 143-75
Cemetery, including mausoleum	X	X	SP*	SP*	X	X	SP*	SP*	X	X	X	§ 143-76
Child day-care center	X	X	X	SP*	SP*	SP*	X	SP*	SP*	SP*	X	§ 143-77
Church or other place of religious worship, including meeting hall, parish house and similar facilities	X	X	SP*	SP*	SP*	SP*	SP*	SP*	P*	P*	X	§ 143-78
Cultural facility (e.g., library, art gallery or museum)	X	SP*	X	X	X	X	SP*	SP*	SP*	P*	X	§ 143-79
Day camp	X	SP*	SP*	SP*	X	X	X	SP*	X	X	X	§ 143-80
Educational campus	X	X	X	X	X	X	X	SP*	X	X	X	§ 143-81
Educational institution, including school for elementary, secondary education or higher education	X	X	X	SP*	X	X	X	SP*	X	X	X	§ 143-82
Family day-care or group family day-care facility ³	X	P*	P*	P*	P*	P*	P*	P*	X	X	X	
Fire station	X	X	X	P*	X	X	P*	X	X	P*	P*	
Government office and/or meeting hall	X	X	X	X	X	X	P*	X	P*	P*	P*	
Hospital	X	X	X	SP*	X	X	X	X	X	X	X	§ 143-83
Membership club	X	X	X	X	X	X	X	P*	X	P*	P*	
Nursery school or day nursery	X	X	X	SP*	SP*	SP*	X	SP*	SP*	SP*	SP*	§ 143-77
Nursing home	X	X	X	X	X	SP*	X	SP*	X	X	X	§ 143-84
Post office	X	X	X	X	X	X	P*	P*	P*	P*	X	
Public transportation terminal	X	X	X	X	X	X	SP*	SP*	X	SP*	SP*	§ 143-85

Structure/Land Use	Zoning District											Special Permit Reference
	Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Business and Service Uses (in addition to permissible home occupations, farm industries and generally accepted agricultural and farm management practices)												
Airport facility	X	X	X	SP*	X	X	X	X	X	X	X	§ 143-86
Bakery	X	X	X	X	X	X	X	X	P*	P*	X	
Bank	X	X	X	X	X	X	X	X	X	P*	X	
Bar, tavern or nightclub	X	X	X	X	X	X	X	X	X	P*	X	
Building material supply and sales; lumberyard	X	X	X	X	X	X	X	X	X	X	P*	
Business and/or professional office or establishment;	X	X	X	X	X	X	X	X	P*	P*	P*	
Commercial boarding and/or breeding kennel; animal hospital (unenclosed)	X	X	SP*	SP*	X	X	X	X	X	X	SP*	§ 143-87
Commercial nursery	X	X	X	X	X	X	X	X	X	P*	P*	
Commercial amusement and recreation facility, including health club	X	X	X	X	X	X	X	X	X	P*	P*	
Conference center, including accessory dining and lodging facilities	X	SP*	X	X	X	X	X	SP*	X	X	X	§ 143-88
Convenience store	X	X	X	X	X	X	X	X	X	SP*	SP*	§ 143-89
Drive-in, drive-thru, or drive-in window	X	X	X	X	X	X	X	X	X	X	X	
Farmers' market	X	X	X	X	X	X	X	X	SP*	SP*	SP*	§ 143-90
Food or grocery store	X	X	X	X	X	X	X	X	P*	P*	X	
Food truck	X	X	X	X	X	X	X	P	P ⁴	P	P	Chapter 79 ⁵

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Formula business	X	X	X	X	X	X	X	X	X	X	X	
Funeral home	X	X	X	X	X	X	X	X	X	P*	X	
Gasoline station; automobile service facility	X	X	X	X	X	X	X	X	X	SP*	SP*	§ 143-91
Health Spa	X	X	X	X	X	X	X	X	SP*	P*	X	
Lodging	X	SP*	X	X	X	X	X	SP*	SP*	SP*	X	§ 143-92
Medical or dental clinic	X	X	X	X	X	X	X	X	X	P*	P*	
Office building	X	X	X	X	X	X	X	X	X	P*	P*	
Office park	X	X	X	X	X	X	X	X	X	SP*	SP*	§ 143-94
Personal service use or establishment	X	X	X	X	X	X	X	X	P*	P*	X	
Recreational vehicle park	X	X	X	SP*	X	X	X	X	X	X	X	§ 143-95
Restaurant	X	X	X	SP*	X	X	X	X	P*	P*	X	§ 143-96
Retail business; store or specialty shop	X	X	X	X	X	X	X	X	P*	P*	X	
Riding academy; boarding stable	X	X	SP*	SP*	X	X	X	X	X	X	X	§ 143-98
School conducted for profit, including vocational training and specialized nonacademic instruction	X	X	X	X	X	X	X	X	X	P*	P*	
Self-service laundry or laundromat	X	X	X	X	X	X	X	X	X	P*	P*	
Service business shop or office	X	X	X	X	X	X	X	X	X	P*	P*	
Shopping center	X	X	X	X	X	X	X	X	X	SP*	X	§ 143-99
Theater, movie (indoor)	X	X	X	X	X	X	X	X	X	P*	X	
Theater for performing arts	X	X	X	X	X	X	X	SP*	SP*	X	X	§ 143-100

[illegible]

[illegible]

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
TEMPORARY USES												
Carnival, fair, circus, flea market or similar event (off-premises)	X	X	X	X	X	X	X	P	X	P	X	
Carnival, fair, circus, flea market or similar event (on-premises)	X	P	P	P	P	P	P	P	X	P	P	
Private garage or yard sale	X	P	P	P	P	P	P	P	P	P	P	
Temporary building for construction or development purposes	X	P	P	P	P	P	P	P	P	P	P	

Notes:

¹ Ground-mounted Solar Energy Systems Prohibited.

² See § 143-49.3 for design standards for development within the HB District.

³ Except that within a single family or two family residence or apartment that is permitted in the zoning district or lawfully existing as a nonconforming use, a family day care or group family day care, as defined in Section 390 of the Social Services Law, is permitted as an accessory use where licensed, operated and maintained in accordance with applicable laws and regulations including Section 390 of the Social Services Law of the State of New York and in conformance with applicable building codes.

⁴ Daily permit only.

⁵ See § 79-7 for exceptions.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on October 12, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

ABSENT:

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by _____, seconded by _____, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. ____ of 2021
DATED OCTOBER 12, 2021**

**AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED
HOOK OF LOCAL LAW NO. D (PROPOSED) OF 2021
REGARDING MICRO HYDROPOWER FACILITIES**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING ____
Councilmember William Hamel	VOTING ____
Councilmember Christine Kane	VOTING ____
Councilmember William O'Neill	VOTING ____
Councilmember Jacob Testa	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 12th day of October, 2021 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. ____ of 2021
DATED OCTOBER 12, 2021**

**AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED
HOOK OF LOCAL LAW NO. D (PROPOSED) OF 2021
REGARDING MICRO HYDROPOWER FACILITIES**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of October, 2021.

-SEAL-

Deanna Cochran
Town Clerk

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Red Hook

Local Law No. 4 of 2021

A local law regarding micro hydropower facilities.

Be it enacted by the Town Board of the Town of Red Hook as follows:

SECTION 1. LEGISLATIVE INTENT

This Local Law is intended to provide for the installation of micro hydropower facilities in order to further the goals of the Town's Climate Action Plan. Specifically, the Local Law: amends the Town of Red Hook Zoning Law to allow micro hydropower facilities in the Waterfront Conservation (WC) District subject to issuance of a special permit and site plan approval; and amends Chapter 100 of the Town Code entitled "Power Plan Site Studies" to exempt micro hydropower facilities from the definition of a "power plant" and from the requirements of Chapter 100." The amendments are designed to protect the health, safety, and welfare of Town residents and to bring the Town's Zoning Law into conformance with "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities" pursuant to Chapter 17 of the Town Code. The proposed amendments are consistent with the recommendations of the Town's Comprehensive Plan.

SECTION 2. APPLICATION

This Local Law shall apply within the WC District in the Town of Red Hook.

SECTION 3. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

SECTION 4. AMENDMENTS TO CHAPTER 100 OF THE TOWN CODE

§ 4.1. The definition of “Power Plant” in § 100-3 is hereby amended by inserting a new sentence at the end of the definition to read as follows:

A micro hydropower facility as defined in Section 143-4 of the Town Code shall not be considered to be a “power plant.”

SECTION 5. AMENDMENTS TO ARTICLE I OF THE ZONING LAW ENTITLED “GENERAL PROVISIONS”

§ 5.1. Section 143-4 is hereby amended by the addition of the following new definition of “Bypass Generation:”

BYPASS GENERATION — A type of micro hydropower facility in which a portion of the flow of the stream is diverted into a generator that is located alongside the original reach of the stream, and then the water is returned to the stream downstream of the dam.

§ 5.2. Section 143-4 is hereby amended by the addition of the following new definition of “Micro Hydropower Equipment Shelter:”

MICRO HYDROPOWER EQUIPMENT SHELTER — An enclosed structure within which is housed the turbine, generator unit, and related equipment for a bypass generation micro hydropower facility.

§ 5.3. Section 143-4 is hereby amended by the addition of the following new definition of “Flashboard:”

FLASHBOARD — A panel or structure of panels attached to the top of a spillway of a dam to increase its reservoir capacity. Flashboards are either manually removed or are designed to fail after being overtopped so that flood waters can pass over the dam spillway.

§ 5.4. Section 143-4 is hereby amended by the addition of the following new definition of “Micro Hydropower Facility:”

MICRO HYDROPOWER FACILITY — A water energy conversion system with a rated capacity to generate not more than 100 kilowatts (kW) of electric power, consisting of a turbine, generator,

associated control or conversion electronics, electrical infrastructure, and water conveyance structures (a channel and/or penstock). The purpose of a micro hydropower facility is to provide electrical power to be consumed on site or to provide power to be shared with other power customers.

A micro hydropower facility shall be designed to work with the natural flow of the stream (“run-of-river”) either by placing a generator in the existing stream or spillway of the stream (“in-stream generation”) or by diverting a portion of the flow of the stream into a generator alongside the original reach of the stream and then returning the water to the stream downstream of the dam, referred to as “bypass generation.” A micro hydropower facility does not include a facility that artificially impounds water, with the exception of the use of flashboards as provided in § 143-107.1H.

§ 5.5. Section 143-4 is hereby amended by the addition of the following new definition of “Run-of-River:”

RUN-OF-RIVER — Run-of-river is an operational mode of a micro hydropower facility in which power is generated by the elevation drop in free-flowing water without mechanical manipulation to increase the height of the dam or the reservoir size, except the use of flashboards as provided in § 143-107.1H.

SECTION 6. AMENDMENTS TO ARTICLE III OF THE ZONING LAW ENTITLED “USE REGULATIONS”

§ 6.1. Section 143-11A of the Code is hereby amended by replacing the District Schedule of Use Regulations, attached to the existing Code as 143 Attachment 1 with an amended and restated “143 Attachment 1, District Schedule of Use Regulations,” annexed hereto as Attachment A.

SECTION 7. AMENDMENTS TO ARTICLE VI OF THE ZONING LAW ENTITLED “SPECIAL PERMIT USES”

§ 7.1. Article VI is hereby amended by the addition of the following new § 143-107.1:

§ 143-107.1. Micro Hydropower Facility.

Micro hydropower facilities shall be allowed by special permit in the Waterfront Conservation (WC) District, provided that:

- A. A micro hydropower facility may be either a principal use or an accessory use. The special permit shall specify whether the use is principal or accessory.
- B. A micro hydropower facility shall not count toward the number of principal or accessory uses permitted on the property.

- C. A micro hydropower facility shall demonstrate compliance with the requirements set forth in § 143-30 of this chapter, but without the need for a separate special permit.
- D. A micro hydropower facility shall demonstrate compliance with the requirements set forth in § 143-111 of this chapter, but without the need for a separate special permit, provided that micro hydropower facilities shall be exempt from the requirements of § 77-18A(2).
- E. A micro hydropower facility shall be exempt from the requirements set forth in § 143-47D(1).
- F. A micro hydropower facility located in the HL-O District shall demonstrate compliance with the requirements set forth in §§ 143-45 and 143-46.
- G. A micro hydropower facility and the associated micro hydropower equipment shelter shall be exempt from the extraordinary front yard setback requirement set forth in § 143-48B(1), and shall comply with the regular setback standards to the extent practicable.
- H. A micro hydropower facility shall only be permitted to operate as run-of-river; no change in impoundment size or of the river flow post-bypass shall be permitted, with the exception of changes resulting from the use of flashboards as expressly permitted by the New York State Department of Environmental Conservation, pursuant to the Environmental Conservation Law and the regulations thereunder.
- I. Turbines, generators, and other equipment that emit noise from a bypass generation micro hydropower facility shall be housed in a micro hydropower equipment shelter or shall be housed in sound insulated materials to mitigate impacts of noise. Such equipment shall comply with the applicable limits provided in Chapter 92 except to the extent that ambient noise levels are determined to exceed such limits and in such case the noise taking into account the turbines, generators, and other equipment associated with a micro hydropower facility shall not exceed ambient noise levels by more than 5 dBA.
- J. Any equipment shelters and unenclosed equipment, machinery, and utility infrastructure associated with a micro hydropower facility shall be provided with a fence, screen, and/or landscaping, where deemed necessary by the Planning Board, sufficient to protect public safety and to screen such equipment from view year-round from existing residences, adjoining properties, and public rights-of-way. The retention and enhancement of existing vegetation, the introduction of substantial new vegetation, and the introduction of earthen beaming shall be considered the preferred means to satisfy these screening requirements. Any required fences, screens, and landscaping installed in accordance with this section shall, as a condition of the special permit, be maintained in good order to achieve the objectives

stated herein throughout the duration of the use. The Planning Board shall determine the types of plant materials and depth of the needed buffer based on site conditions.

- K. Adequate access for service vehicles shall be provided. Existing roads, driveways, or trails are the preferred method of providing access. Road construction, where required, shall minimize ground disturbance and cutting of vegetation to the maximum extent practicable. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce the potential for soil erosion.
- L. A micro hydropower facility shall provide for the safe, timely, and effective upstream and downstream passage of migratory fish to the extent determined by the Planning Board consistent with Federal and State laws in order to allow for the continuation of healthy and sustainable fish and other wildlife resources in areas affected by the facility.
- M. All power transmission lines shall, to the extent practicable, be located underground in accordance with National Electrical Code standards.
- N. Each special permit application submitted for the establishment of a micro hydropower facility shall include identification of any necessary federal, state, or county permits, copies of all such permit applications, and copies of all related correspondence between the applicant and the permitting agency or agencies. A micro hydropower facility shall obtain all necessary permits from such agencies as a condition of special permit approval.

SECTION 8. EFFECTIVE DATE

This local law shall take effect immediately after it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

Symbol:

P = Permitted use in specified district

SP = Special use permit required for use in specified district

X = Prohibited use in specified district

***** = Site plan required

Structure/Land Use	Zoning District											Special Permit Reference
	Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
RESIDENTIAL PRINCIPAL USES												
Single-family dwelling (existing)	P	P	P	P	P	P	P	P	P	P	P	
Single-family dwelling (new construction or adaptive reuse)	SP*	P	P	P	P	P	P	SP*	X	X	X	§ 143-53
Two-family dwelling (new construction)	X	X	X	X	X	SP	SP	P	X	X	X	§ 143-54
Two-family dwelling (conversion)	X	SP	SP	SP	X	X	SP	SP	X	X	X	§ 143-55
Multifamily dwelling (new construction)	X	X	X	X	SP*	SP*	X	X	SP*	SP*	X	§§ 143-56 and 143-57
Multifamily dwelling (conversion or adaptive reuse)	X	SP*	SP*	SP*	SP*	SP*	X	SP*	SP*	SP*	X	§§ 143-58 and 143-59
Row or attached dwelling	X	X	X	X	X	SP*	SP*	X	X	X	X	
Mobile home on individual lot	X	X	X	X	X	X	X	X	X	X	X	
Mobile home park	X	X	X	X	X	SP*	X	X	X	SP*	X	§ 143-60
Boarding- or rooming house	X	X	X	X	X	X	SP	SP	SP	SP	X	§ 143-61
Community residence	X	P	P	P	P	P	P	P	X	X	X	
Elderly or senior citizen housing complex	X	X	X	X	SP*	SP*	X	X	X	SP*	X	§ 143-62
Enriched housing for the elderly	X	X	SP	SP	SP	SP	X	X	X	X	X	§ 143-63
Large solar energy system	X	SP*	SP*	SP*	SP*	SP*	X	SP*	X	X	SP*	§ 143-37
Medium solar energy system	P*1	P*	P*	P*	P*	P*	P*1	P*	P*1	P*1	P*	§ 143-37

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER 12, 2021**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE
FOR LOCAL LAW NO. D (PROPOSED) OF 2021**

WHEREAS, the Town Board of the Town of Red Hook is considering the adoption of Local Law No. D (Proposed) of 2021, entitled **“Local Law No. D (Proposed) of 2021; A Local Law Regarding Micro Hydropower Facilities”** in the form on file with the Town Clerk (the “Local Law”); and

WHEREAS, on August 25, 2021, the Town Board classified the proposed action as a Type I action under the State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency in a review of the project, as it is the only involved agency; and

WHEREAS, the proposed Local Law will be applicable throughout the Town; and

WHEREAS, the Town Board has prepared a Full Environmental Assessment Form (“FEAF”) and Coastal Assessment Form (“CAF”) for the proposed action; and

WHEREAS, the Town Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern, including any disclosed in the FEAF and CAF; and

WHEREAS, the Town Board has reviewed a draft Notice of Determination of Non-Significance (Negative Declaration) setting forth reasons supporting a determination that the proposed action will not have a significant adverse impact on the environment; and

WHEREAS, at its meeting held on October 4, 2021, the Planning Board recommended a finding that the proposed Local Law is consistent with the Town’s Local Waterfront Revitalization Program; and

WHEREAS, the Town Board has reviewed the proposed Local Law and its consistency with the Town’s Local Waterfront Revitalization Program, and has reviewed the Planning Board’s finding of consistency.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Red Hook, Dutchess County, New York (by the favorable vote of not less than a majority of all of the members of the Board) hereby

1. Adopts a negative declaration and determines that the proposed action will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

2. Authorizes and directs the Town Clerk to distribute a copy of this resolution to all involved and interested agencies, the Town Supervisor, and any person that has requested a copy and to make all other filings required by law.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on October 12, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

PRESENT:

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

ABSENT:

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by _____, seconded by _____, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER 12, 2021**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE
FOR LOCAL LAW NO. D (PROPOSED) OF 2021**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING ____
Councilmember William Hamel	VOTING ____
Councilmember Christine Kane	VOTING ____
Councilmember William O'Neill	VOTING ____
Councilmember Jacob Testa	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 12th day of October, 2021 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER 12, 2021**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE
FOR LOCAL LAW NO. D (PROPOSED) OF 2021**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of October, 2021.

-SEAL-

Deanna Cochran
Town Clerk

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]	
Project :	Local Law D (Proposed) of 2021
Date :	September 22, 2021

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> ☒ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☒ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☒ YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☒	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☒	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☒	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☒	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☒	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☒	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☒	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☒	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☒	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☒	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☒	☐

l. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. ☒ NO ☐ YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☒ NO ☐ YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)

☒ NO☐ YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)

☒ NO☐ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m., n., and o.)

☐ NO☒ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☒	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☒	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☒	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☒	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐		
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐		
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐		
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐		
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐		
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐		
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐		
h. Other: _____ _____		☐	☐		

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐		
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐		
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐		
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐		
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐		
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐		
g. Other impacts: _____ _____		☐	☐		

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed action would amend portions of the Town of Red Hook Code to provide for the installation of micro hydropower facilities. Specifically, the local law would amend the Town of Red Hook Zoning Law to allow micro hydropower facilities in the Waterfront Conservation District subject to the issuance of a special use permit and site plan approval. The local law would also amend the Town of Red Hook Power Plan Site Studies Law to exempt micro hydropower facilities from the requirements therein.

The impacts of the local law on the environment will be insignificant because it only allows small-scale micro hydropower facilities and enacts regulations regarding the design and operation of such facilities to ensure that they will not have adverse impacts on the environment. Such facilities shall only be permitted to operate as "run-of-river," meaning that there will be no change in impoundment size or of post-bypass river flow, with the exception of changes caused by NYSDEC-permitted flashboards. Such facilities must also be designed so as not to interfere with the upstream and downstream passage of migratory fish to the extent determined necessary by the Planning Board consistent with Federal and State laws in order to allow for the continuation of healthy and sustainable fish and other wildlife resources in areas affected by the facility.

To the extent the installation of such a facility may cause an increase in noise, the impact of any such increase in noise on the environment will not be significant. The local law requires that the facilities be housed in materials that insulate sound and mitigate impacts of noise. The facilities will also have to comply with the generally applicable noise limits within the Town Code, except to the extent that ambient noise levels at a project site are determined to exceed such limits and in such case the noise associated with the facility shall not exceed ambient noise levels by more than 5 dBA.

The adoption of the local law will further the goals of the Town's Climate Action Plan by supporting the use of green energy sources. The use and encouragement of green energy sources is also consistent with the Town's Comprehensive Plan and with "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities."

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Public comment, Coastal Assessment Form, and LWRP findings

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Red Hook Town Board as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Local Law D (Proposed) of 2021 to Amend the Code of the Town of Red Hook for Micro Hydropower Facilities

Name of Lead Agency: Town of Red Hook Town Board

Name of Responsible Officer in Lead Agency: Robert McKeon

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Deanna Cochran, Town Clerk

Address: 7340 South Broadway, Red Hook, NY 12571

Telephone Number: (845) 758-4600

E-mail: townclerk@redhook.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

**TOWN OF RED HOOK
RESOLUTION NO. ___ of 2021
DATED OCTOBER 12, 2021**

**AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF RED
HOOK OF LOCAL LAW NO. D (PROPOSED) OF 2021
REGARDING MICRO HYDROPOWER FACILITIES**

WHEREAS, a proposed form of Local Law D (Proposed) of 2021 entitled “**Local Law No. D (Proposed) of 2021; A Local Law Regarding Micro Hydropower Facilities**” (the “Local Law”) was presented to the Town Board of the Town of Red Hook at a regular meeting held on August 25, 2021; and

WHEREAS, on August 25, 2021, the Town Board reviewed a Full Environmental Assessment Form (“FEAF”) and Coastal Assessment Form (“CAF”) and classified the proposed action as a Type I action under the State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency; and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Red Hook on August 25, 2021, setting a public hearing to be held by said Town Board on September 22, 2021 at 7:35 p.m. at the Town Hall, 7340 South Broadway, Red Hook, New York, to hear all interested parties on said proposed Local Law; and

WHEREAS, notice of said public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of said Town, on August 31, 2021, which is not less than ten calendar days prior to the date of said public hearing; and

WHEREAS, notice of the September 22, 2021, public hearing was sent to the clerks of adjacent municipalities; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, a copy of the Local Law, together with a copy of the EAF and CAF, was referred to the Dutchess County Department of Planning and Development which responded on September 14, 2021, that it was a matter of local concern; and

WHEREAS, pursuant to Section 143-141 of the Red Hook Zoning Law, a copy of the proposed Local Law, together with a copy of the EAF and CAF, was referred to the Town Planning Board which reviewed the matter at its October 4, 2021 meeting, recommended a finding that it is consistent with the Town’s Local Waterfront Revitalization Plan, and has provided a report of such recommendation to the Town; and

WHEREAS, said public hearing was duly held on September 22, 2021 and continued to October 12, 2021; and

WHEREAS, notice of said continued public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of said Town, on September 29, which is not less than ten calendar days prior to the date of said public hearing; and

WHEREAS, on October 12, 2021, the Town Board adopted a negative declaration under SEQRA, determining that the proposed adoption of the Local Law will not have a significant adverse effect on the environment and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, on October 12, 2021, the Town Board determined that the proposed Local Law is consistent with the Town's Local Waterfront Revitalization Plan; and

WHEREAS, the Town Board of the Town of Red Hook, after due deliberation, finds it in the best interests of the Town to adopt said local law, in the form attached hereto.

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Red Hook as follows:

1. The Town Board hereby adopts said Local Law D (Proposed) of 2021, now referred to as Local Law No. 4 of 2021, entitled **"Local Law No. D (Proposed) of 2021; A Local Law Regarding Micro Hydropower Facilities"** in the form attached hereto and made a part of this resolution; and
2. The Town Clerk hereby is directed to enter said local law in the minutes of this meeting and in the Town Code of the Town of Red Hook, to give due notice of the adoption of said local law to the Secretary of State of New York, and to take all other actions as may be required by law.

**LOCAL WATERFRONT REVITALIZATION PROGRAM CONSISTENCY DETERMINATION
Town of Red Hook, New York**

On May 2, 1995, the Town of Red Hook adopted a Local Waterfront Revitalization Program (LWRP), which was approved by the New York State Department of State on September 20, 1995. The LWRP requires that the lead agency under the State Environmental Quality Review Act (SEQR) must make a determination that an action under its jurisdiction which is located within the Coastal Boundary is consistent to the maximum extent practicable with the LWRP prior to approving, funding or undertaking the action.

This form is designed to assist the Town Board in making a consistency determination. The form lists the 44 policies of the LWRP. The Town Board will evaluate a proposed action against each of the policies, indicating that the action is "consistent" or "not consistent" with the policy, or that the policy is "not applicable," by checking the appropriate column. For an explanation of the policies, please review the LWRP, which is on file in the Office of the Town Clerk in the Red Hook Town Hall.

Section V.C of the LWRP states that if the agency determines that the proposed action would cause a substantial hindrance to the achievement of the LWRP policies, such action shall not be undertaken unless the agency determines with respect to the proposed action that:

- a. No reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of the LWRP policy standards and conditions;
- b. The action would be undertaken in a manner which will minimize all adverse effects on the LWRP policy standards and conditions to the maximum extent practicable; and
- c. The action will result in an over-riding Town, regional or state-wide public benefit.

Actions that are not consistent with the LWRP policies must provide evidence that the above standards will be met before the Town Board can issue a consistency determination.

Name of Action: Adoption of Local Law D (Proposed) of 2021 to Amend the Code of the Town of Red Hook for Micro Hydropower Facilities

Consistency Determination

The Town Board of the Town of Red Hook has reviewed the proposed action against the policies of the Town's Local Waterfront Revitalization Program and has determined that the proposed action is consistent with the policies of the LWRP.

Town Clerk

Date

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
A. Development Policies				
1. Not applicable to Red Hook.	✓			
1A. Encourage growth of the tourism sector of the Town economy through: (1) preservation, enhancement and/or reuse appropriate areas and structures within the LWRP area/Historic Shorelands Scenic District, and (2) taking steps to inform the public of existing areas of historic, scenic, and recreational interest.	✓			
2. Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.		✓		Proposed action will permit the siting of micro hydropower facilities, a water dependent use, in the WC District to further the goals of the Town's Climate Action Plan.
3. Not applicable to Red Hook.	✓			
4. Not applicable to Red Hook.	✓			
5. Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other Coastal Areas.	✓			No development is proposed as part of this action.
6. Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	✓			
B. Fish and Wildlife Policies				

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
7. Significant coastal fish and wildlife habitats, as identified on the Coastal Area Map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.		✓		Proposed action will require that micro hydropower facilities provide for the safe, timely, and effective upstream and downstream passage of migratory fish in order to allow for the continuation of healthy and sustainable fish and other wildlife resources in areas affected by the facility.
7A. Protect the areas identified as significant habitat areas by the Department of State as well as the creeks, kills, wetland and cove areas draining into and adjacent to the Hudson River from alteration and/or pollutant discharge by residential, commercial, agricultural or industrial uses in order to maintain their viability as habitat areas.		✓		Proposed action will only permit micro hydropower facilities to operate as run-of-river; no change in impoundment size or of the river flow post-bypass will be permitted, with the exception of changes resulting from the use of flashboards as expressly permitted by the NYSDEC. No pollutant discharge will result from micro hydropower facilities.
8. Protect fish and wildlife resources in the Coastal Area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.	✓			No hazardous wastes or other pollutants will result from micro hydropower facilities.
9. Expand recreational use of fish and wildlife resources in Coastal Areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	✓			

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
10. Further develop commercial finfish, shellfish, and crustacean resources in the Coastal Area by: (1) encouraging the construction of new, or improvement of existing, on-shore commercial fishing facilities; (2) increasing marketing of the State's seafood products; and (3) maintaining adequate stocks and expanding agricultural facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.	✓			
C. Flooding and Erosion Hazards Policies				
11. Buildings and other structures will be sited in the Coastal Area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.	✓			No development is proposed as part of this action. The proposed action will only permit micro hydropower facilities to operate as run-of-river; no change in impoundment size or of the river flow post-bypass will be permitted, with the exception of changes resulting from the use of flashboards as expressly permitted by the NYSDEC, and therefore such facilities will not result in flooding and erosion.
12. Activities or development in the Coastal Area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.	✓			
13. The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	✓			

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
14. Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	✓			
15. Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent of such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	✓			
16. Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	✓			
17. Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (1) the set back of buildings and structures; (2) the planting of vegetation and the installation of sand fencing and draining; (3) the reshaping of bluffs; and (4) the flood-proofing of buildings or their elevation above the base flood level.	✓			
D. General Policy				
18. To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the Coastal Area must give full consideration to those interests, and to the safeguards which the State and municipality have established to protect valuable coastal resource areas.	✓			A major action is not proposed by this action.
E. Public Access Policies				

19. Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks	✓			Proposed action will only permit micro hydropower facilities to operate as run-of-river, in which power is generated by the elevation drop in free-flowing water without mechanical manipulation to increase the height of the dam or the reservoir size, except the use of flashboards as expressly permitted by the NYSDEC. Such facilities will not interfere with public water-related recreation use of beaches, boating facilities, fishing areas and waterfront parks.
20. Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	✓			See above.
20A. Reasonable vehicular access and pedestrian access shall be provided, whenever feasible, to the publicly owned foreshore and public ownership or easement over adjoining land will be pursued, where appropriate.	✓			See above.
F. Recreation Policies				
21. Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.	✓			See above.
21A. Undertake efforts to establish a Town dock and park area or areas in Barrytown to provide public access for water-related recreation activities including fishing and boating.	✓			

22. Development, when located adjacent to the shore, will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.	✓			
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G. Historic Resource Policy

23. Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the nation.		✓		Proposed action will require micro hydropower facilities located in the HL-O District (which is coincident with the Hudson River National Historic Landmark District) to demonstrate compliance with §§ 143-45 and 143-46 of the Zoning Law for historic structures and districts. Proposed action will require that that any equipment shelters and unenclosed equipment, machinery, and utility infrastructure associated with a micro hydropower facility be provided with a fence, screen, and/or landscaping sufficient to screen such equipment from view year-round from existing residences, adjoining properties, and public rights-of-way. No development is proposed as part of this action and therefore no impacts to archaeological resources will occur.
23A. Conserve, protect, preserve and, if appropriate, promote the adaptive reuse of places, sites, structures, views and features in the Coastal Area of the Town of Red Hook of special historic, cultural or archaeological significance or which by reason of association with notable people or events, or of the antiquity or uniqueness of architectural and landscape design particular significance to the heritage of the Town.		✓		See above.

H. Scenic Quality Policies

24. Prevent impairment of scenic resources of statewide significance, as identified on the Coastal Area Map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.		✓		See above.
24A. Prevent impairment of the Estates District Scenic Area of Statewide Significance.		✓		See above.
24B. Prevent impairment of the Ulster North Scenic Area of Statewide Significance.		✓		See above.
25. Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the Coastal Area.		✓		See above.
25A. Prevent impairment of scenic resources incorporated within the Mid-Hudson Historic Shorelands Scenic District.		✓		See above.
25B. Protect and enhance the scenic qualities of roads in the Town designated as scenic roads.		✓		See above.
I. Agricultural Lands Policy				
26. Not applicable to Red Hook.	✓			
26A. To conserve and protect agricultural lands in the Coastal Area of the Town of Red Hook, an action shall not result in a loss, nor impair the productivity of important agricultural lands, if that loss or impairment would adversely affect the viability of agriculture in an Agricultural District, or if there is no Agricultural District, in the area surrounding such lands.	✓			No development is proposed as part of this action. Micro hydropower facilities permitted by the action in the Coastal Area would be subject to site specific review of impacts to agricultural lands and resources.
2 J. Energy and Ice Management Policies				
27. Decisions on the siting and construction of major energy facilities in the Coastal Area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	✓			
28. Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	✓			

29. Not applicable to Red Hook.	✓			
K. Water and Air Resources Policies				
30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and national water quality standards.	✓			
31. State Coastal Area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.	✓			
32. Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	✓			
33. Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	✓			
34. Discharge of waste materials into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	✓			
35. Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	✓			
36. Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	✓			
37. Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	✓			
38. The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	✓			
38A. Work to re-establish and maintain the Saw Kill Water Quality Surveillance Program.	✓			

39. The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within Coastal Areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	✓			
40. Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.	✓			
41. Land use or development in the Coastal Area will not cause national or State air quality standards to be violated.	✓			
42. Coastal management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	✓			
43. Land or development in the Coastal Area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	✓			
44. Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	✓			

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed action would amend portions of the Town of Red Hook Code to provide for the installation of micro hydropower facilities. Specifically, the local law would amend the Town of Red Hook Zoning Law to allow micro hydropower facilities in the Waterfront Conservation District subject to the issuance of a special use permit and site plan approval. The local law would also amend the Town of Red Hook Power Plan Site Studies Law to exempt micro hydropower facilities from the requirements therein.

The impacts of the local law on the environment will be insignificant because it only allows small-scale micro hydropower facilities and enacts regulations regarding the design and operation of such facilities to ensure that they will not have adverse impacts on the environment. Such facilities shall only be permitted to operate as "run-of-river," meaning that there will be no change in impoundment size or of post-bypass river flow, with the exception of changes caused by NYSDEC-permitted flashboards. Such facilities must also be designed so as not to interfere with the upstream and downstream passage of migratory fish to the extent determined necessary by the Planning Board consistent with Federal and State laws in order to allow for the continuation of healthy and sustainable fish and other wildlife resources in areas affected by the facility.

To the extent the installation of such a facility may cause an increase in noise, the impact of any such increase in noise on the environment will not be significant. The local law requires that the facilities be housed in materials that insulate sound and mitigate impacts of noise. The facilities will also have to comply with the generally applicable noise limits within the Town Code, except to the extent that ambient noise levels at a project site are determined to exceed such limits and in such case the noise associated with the facility shall not exceed ambient noise levels by more than 5 dBA.

The adoption of the local law will further the goals of the Town's Climate Action Plan by supporting the use of green energy sources. The use and encouragement of green energy sources is also consistent with the Town's Comprehensive Plan and with "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities."

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Public comment, Coastal Assessment Form, and LWRP findings

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Red Hook Town Board _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Local Law D (Proposed) of 2021 to Amend the Code of the Town of Red Hook for Micro Hydropower Facilities

Name of Lead Agency: Town of Red Hook Town Board

Name of Responsible Officer in Lead Agency: Robert McKeon

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Deanna Cochran, Town Clerk

Address: 7340 South Broadway, Red Hook, NY 12571

Telephone Number: (845) 758-4600

E-mail: townclerk@redhook.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Small solar energy system	P ¹	P	P	P	P	P	P ¹	P	P ¹	P ¹	P	§ 143-37
RESIDENTIAL ACCESSORY USES												
Accessory apartment within single-family dwelling structure (new construction or conversion)	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	§§ 143-64 and 143-65
Accessory apartment within separate structure (adaptive reuse)	X	SP	SP	SP	X	X	X	SP	X	X	X	§§ 143-66
Agriculture	P	P	P	P	P	P	P	P	P	P	P	
Bed-and-breakfast establishment	X	SP	SP	SP	X	X	SP	SP	SP	SP	X	§ 143-67
Cottage on residential premises	X	SP	SP	SP	SP	SP	SP	X	X	X	X	§ 143-68
Home occupation Class 1, occurring within dwelling unit	X	P	P	P	P	P	P	P	P	P	P	
Home occupation Class 2, occurring within customary accessory building on residential premises	X	SP	SP	SP	X	X	SP	X	SP	SP	SP	§ 143-69
Micro Hydropower Facility	SP*	X	X	X	X	X	X	X	X	X	X	§ 143-107.1
Private airstrip or heliport	X	X	X	SP*	X	X	X	X	X	X	X	§ 143-70
Roadside stand	P	P	P	P	P	P	P	P	P	P	P	
Large solar energy system	X	SP*	SP*	SP*	SP*	SP*	X	SP*	X	X	SP*	§ 143-37
Medium solar energy system	P* ¹	P*	P*	P*	P*	P*	P* ¹	P*	P* ¹	P* ¹	P*	§ 143-37
Small solar energy system	P ¹	P	P	P	P	P	P ¹	P	P ¹	P ¹	P	§ 143-37

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Customary accessory use or structure incidental to the permitted or special permit use and located on the same lot, as defined in § 143-4 of this chapter	X	P	P	P	P	P	P	P	P	P	P	
NONRESIDENTIAL PRINCIPAL USES (in addition to permissible home occupations and farm industries)												
Agricultural, Conservation and Open Space Uses												
Agriculture	P	P	P	P	P	P	P	P	P	P	P	
Conservation use; nature and wildlife preserves, including environmental field station	P	P	P	P	P	P	P	P	P	P	P	
Farm	P	P	P	P	P	P	P	P	P	P	P	
Golf course and country club	X	X	P*	P*	P*	X	X	X	X	X	X	
Fishing club	SP*	SP*	SP*	SP*	X	X	X	X	X	X	X	§ 143-71
Hunting club	X	SP*	SP*	SP*	X	X	X	X	X	X	X	§ 143-71.1
Large-scale commercial logging	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	§ 143-73
Small-scale commercial logging	P	P	P	P	P	P	P	P	P	P	P	§ 143-73
Outdoor recreation facility, including uses such as skiing, skating, picnicking, and outdoor camping	SP*	SP*	SP*	SP*	SP*	SP*	X	SP*	X	X	X	§ 143-72
Public park and/or trail system	SP*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	
Timber operation	P	P	P	P	P	P	P	P	P	P	P	
Community Services and Facilities; Institutional Uses												
Alternate-care facility	X	X	X	X	X	X	X	SP*	X	X	X	§ 143-74

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Congregate-care facility	X	X	X	X	SP*	SP*	X	X	X	X	X	§ 143-75
Cemetery, including mausoleum	X	X	SP*	SP*	X	X	SP*	SP*	X	X	X	§ 143-76
Child day-care center	X	X	X	SP*	SP*	SP*	X	SP*	SP*	SP*	X	§ 143-77
Church or other place of religious worship, including meeting hall, parish house and similar facilities	X	X	SP*	SP*	SP*	SP*	SP*	SP*	P*	P*	X	§ 143-78
Cultural facility (e.g., library, art gallery or museum)	X	SP*	X	X	X	X	SP*	SP*	SP*	P*	X	§ 143-79
Day camp	X	SP*	SP*	SP*	X	X	X	SP*	X	X	X	§ 143-80
Educational campus	X	X	X	X	X	X	X	SP*	X	X	X	§ 143-81
Educational institution, including school for elementary, secondary education or higher education	X	X	X	SP*	X	X	X	SP*	X	X	X	§ 143-82
Family day-care or group family day-care facility ³	X	P*	P*	P*	P*	P*	P*	P*	X	X	X	
Fire station	X	X	X	P*	X	X	P*	X	X	P*	P*	
Government office and/or meeting hall	X	X	X	X	X	X	P*	X	P*	P*	P*	
Hospital	X	X	X	SP*	X	X	X	X	X	X	X	§ 143-83
Membership club	X	X	X	X	X	X	X	P*	X	P*	P*	
Nursery school or day nursery	X	X	X	SP*	SP*	SP*	X	SP*	SP*	SP*	SP*	§ 143-77
Nursing home	X	X	X	X	X	SP*	X	SP*	X	X	X	§ 143-84
Post office	X	X	X	X	X	X	P*	P*	P*	P*	X	
Public transportation terminal	X	X	X	X	X	X	SP*	SP*	X	SP*	SP*	§ 143-85

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Business and Service Uses (in addition to permissible home occupations, farm industries and generally accepted agricultural and farm management practices)												
Airport facility	X	X	X	SP*	X	X	X	X	X	X	X	§ 143-86
Bakery	X	X	X	X	X	X	X	X	P*	P*	X	
Bank	X	X	X	X	X	X	X	X	X	P*	X	
Bar, tavern or nightclub	X	X	X	X	X	X	X	X	X	P*	X	
Building material supply and sales; lumberyard	X	X	X	X	X	X	X	X	X	X	P*	
Business and/or professional office or establishment;	X	X	X	X	X	X	X	X	P*	P*	P*	
Commercial boarding and/or breeding kennel; animal hospital (unenclosed)	X	X	SP*	SP*	X	X	X	X	X	X	SP*	§ 143-87
Commercial nursery	X	X	X	X	X	X	X	X	X	P*	P*	
Commercial amusement and recreation facility, including health club	X	X	X	X	X	X	X	X	X	P*	P*	
Conference center, including accessory dining and lodging facilities	X	SP*	X	X	X	X	X	SP*	X	X	X	§ 143-88
Convenience store	X	X	X	X	X	X	X	X	X	SP*	SP*	§ 143-89
Drive-in, drive-thru, or drive-in window	X	X	X	X	X	X	X	X	X	X	X	
Farmers' market	X	X	X	X	X	X	X	X	SP*	SP*	SP*	§ 143-90
Food or grocery store	X	X	X	X	X	X	X	X	P*	P*	X	
Food truck	X	X	X	X	X	X	X	P	P ⁴	P	P	Chapter 79 ⁵

Structure/Land Use	Zoning District Uses for the AB and TND Districts are set forth in §§ 143-39.1 and 143-49.1											Special Permit Reference
	WC	LD	RD5	RD3	R1.5	R1	H	I	HB ²	B1	B2	
Formula business	X	X	X	X	X	X	X	X	X	X	X	
Funeral home	X	X	X	X	X	X	X	X	X	P*	X	
Gasoline station; automobile service facility	X	X	X	X	X	X	X	X	X	SP*	SP*	§ 143-91
Health Spa	X	X	X	X	X	X	X	X	SP*	P*	X	
Lodging	X	SP*	X	X	X	X	X	SP*	SP*	SP*	X	§ 143-92
Medical or dental clinic	X	X	X	X	X	X	X	X	X	P*	P*	
Office building	X	X	X	X	X	X	X	X	X	P*	P*	
Office park	X	X	X	X	X	X	X	X	X	SP*	SP*	§ 143-94
Personal service use or establishment	X	X	X	X	X	X	X	X	P*	P*	X	
Recreational vehicle park	X	X	X	SP*	X	X	X	X	X	X	X	§ 143-95
Restaurant	X	X	X	SP*	X	X	X	X	P*	P*	X	§ 143-96
Retail business; store or specialty shop	X	X	X	X	X	X	X	X	P*	P*	X	
Riding academy; boarding stable	X	X	SP*	SP*	X	X	X	X	X	X	X	§ 143-98
School conducted for profit, including vocational training and specialized nonacademic instruction	X	X	X	X	X	X	X	X	X	P*	P*	
Self-service laundry or laundromat	X	X	X	X	X	X	X	X	X	P*	P*	
Service business shop or office	X	X	X	X	X	X	X	X	X	P*	P*	
Shopping center	X	X	X	X	X	X	X	X	X	SP*	X	§ 143-99
Theater, movie (indoor)	X	X	X	X	X	X	X	X	X	P*	X	
Theater for performing arts	X	X	X	X	X	X	X	SP*	SP*	X	X	§ 143-100

[illegible]

[illegible]

OTHER BUSINESS

LWRP – Red Hook Micro Hydropower Facility

Michele Greig explained the local law to permit micro hydro facilities on existing dams. The Planning Board is being asked to approve a draft Local Waterfront Revitalization Program (LWRPP) Consistency Determination. Lew Rose motioned to accept the draft LWRP Kristina Dousharm seconded, and all were in favor.

Sawkill- LWRP

A motion to accept the draft LWRP was made by Brian Kelly, seconded by Kristina Dousharm and all members were in favor.

LOCAL WATERFRONT REVITALIZATION PROGRAM CONSISTENCY DETERMINATION
Town of Red Hook, New York

On May 2, 1995, the Town of Red Hook adopted a Local Waterfront Revitalization Program (LWRP), which was approved by the New York State Department of State on September 20, 1995. The LWRP requires that the lead agency under the State Environmental Quality Review Act (SEQR) must make a determination that an action under its jurisdiction which is located within the Coastal Boundary is consistent to the maximum extent practicable with the LWRP prior to approving, funding or undertaking the action.

This form is designed to assist the Planning Board in making a consistency determination. The form lists the 44 policies of the LWRP. Applicants are requested to make a preliminary assessment of the project's consistency by completing the attached Table, which the Planning Board will review in making its determination. For each policy, applicants are requested to indicate that the project is either "consistent" or "not consistent" with the policy, or that the policy is "not applicable," by checking the appropriate column. For an explanation of the policies, please review the LWRP, which is on file in the Planning Board office in the Red Hook Town Hall.

Section V.C of the LWRP states that if the agency determines that the proposed action would cause a substantial hindrance to the achievement of the LWRP policies, such action shall not be undertaken unless the agency determines with respect to the proposed action that:

- a. No reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of the LWRP policy standards and conditions;
- b. The action would be undertaken in a manner which will minimize all adverse effects on the LWRP policy standards and conditions to the maximum extent practicable; and
- c. The action will result in an over-riding Town, regional or state-wide public benefit.

Applicants whose proposals are not consistent with the LWRP policies must provide evidence that the above standards will be met before the Planning Board can issue a consistency determination.

Name of Action: Adoption of Local Law D (Proposed) of 2021 to Amend the Code of the Town of Red Hook for Micro Hydropower Facilities

Consistency Determination

The Town of Red Hook Planning Board has reviewed the proposed action against the policies of the Town's Local Waterfront Revitalization Program and has determined that the proposed action is consistent with the policies of the LWRP.

Planning Board Chairperson

Date

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
A. Development Policies				
1. Not applicable to Red Hook.	✓			
1A. Encourage growth of the tourism sector of the Town economy through: (1) preservation, enhancement and/or reuse appropriate areas and structures within the LWRP area/Historic Shorelands Scenic District, and (2) taking steps to inform the public of existing areas of historic, scenic, and recreational interest.	✓			
2. Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.		✓		Proposed action will permit the siting of micro hydropower facilities, a water dependent use, in the WC District to further the goals of the Town's Climate Action Plan.
3. Not applicable to Red Hook.	✓			
4. Not applicable to Red Hook.	✓			
5. Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other Coastal Areas.	✓			No development is proposed as part of this action.
6. Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	✓			
B. Fish and Wildlife Policies				

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
7. Significant coastal fish and wildlife habitats, as identified on the Coastal Area Map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.		✓		Proposed action will require that micro hydropower facilities provide for the safe, timely, and effective upstream and downstream passage of migratory fish in order to allow for the continuation of healthy and sustainable fish and other wildlife resources in areas affected by the facility.
7A. Protect the areas identified as significant habitat areas by the Department of State as well as the creeks, kills, wetland and cove areas draining into and adjacent to the Hudson River from alteration and/or pollutant discharge by residential, commercial, agricultural or industrial uses in order to maintain their viability as habitat areas.		✓		Proposed action will only permit micro hydropower facilities to operate as run-of-river; no change in impoundment size or of the river flow post-bypass will be permitted, with the exception of changes resulting from the use of flashboards as expressly permitted by the NYSDEC. No pollutant discharge will result from micro hydropower facilities.
8. Protect fish and wildlife resources in the Coastal Area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.	✓			No hazardous wastes or other pollutants will result from micro hydropower facilities.
9. Expand recreational use of fish and wildlife resources in Coastal Areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	✓			

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
10. Further develop commercial finfish, shellfish, and crustacean resources in the Coastal Area by: (1) encouraging the construction of new, or improvement of existing, on-shore commercial fishing facilities; (2) increasing marketing of the State's seafood products; and (3) maintaining adequate stocks and expanding agricultural facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.	✓			
C. Flooding and Erosion Hazards Policies				
11. Buildings and other structures will be sited in the Coastal Area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.	✓			No development is proposed as part of this action. The proposed action will only permit micro hydropower facilities to operate as run-of-river; no change in impoundment size or of the river flow post-bypass will be permitted, with the exception of changes resulting from the use of flashboards as expressly permitted by the NYSDEC, and therefore such facilities will not result in flooding and erosion.
12. Activities or development in the Coastal Area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.	✓			
13. The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	✓			

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
14. Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	✓			
15. Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent of such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	✓			
16. Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	✓			
17. Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (1) the set back of buildings and structures; (2) the planting of vegetation and the installation of sand fencing and draining; (3) the reshaping of bluffs; and (4) the flood-proofing of buildings or their elevation above the base flood level.	✓			
D. General Policy				
18. To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the Coastal Area must give full consideration to those interests, and to the safeguards which the State and municipality have established to protect valuable coastal resource areas.	✓			A major action is not proposed by this action.
E. Public Access Policies				

19. Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks	✓			Proposed action will only permit micro hydropower facilities to operate as run-of-river, in which power is generated by the elevation drop in free-flowing water without mechanical manipulation to increase the height of the dam or the reservoir size, except the use of flashboards as expressly permitted by the NYSDEC. Such facilities will not interfere with public water-related recreation use of beaches, boating facilities, fishing areas and waterfront parks.
20. Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	✓			See above.
20A. Reasonable vehicular access and pedestrian access shall be provided, whenever feasible, to the publicly owned foreshore and public ownership or easement over adjoining land will be pursued, where appropriate.	✓			See above.
F. Recreation Policies				
21. Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.	✓			See above.
21A. Undertake efforts to establish a Town dock and park area or areas in Barrytown to provide public access for water-related recreation activities including fishing and boating.	✓			

22. Development, when located adjacent to the shore, will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.	✓			
G. Historic Resource Policy				
23. Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the nation.		✓		Proposed action will require micro hydropower facilities located in the HL-O District (which is coincident with the Hudson River National Historic Landmark District) to demonstrate compliance with §§ 143-45 and 143-46 of the Zoning Law for historic structures and districts. Proposed action will require that that any equipment shelters and unenclosed equipment, machinery, and utility infrastructure associated with a micro hydropower facility be provided with a fence, screen, and/or landscaping sufficient to screen such equipment from view year-round from existing residences, adjoining properties, and public rights-of-way. No development is proposed as part of this action and therefore no impacts to archaeological resources will occur.
23A. Conserve, protect, preserve and, if appropriate, promote the adaptive reuse of places, sites, structures, views and features in the Coastal Area of the Town of Red Hook of special historic, cultural or archaeological significance or which by reason of association with notable people or events, or of the antiquity or uniqueness of architectural and landscape design particular significance to the heritage of the Town.		✓		See above.
H. Scenic Quality Policies				

24. Prevent impairment of scenic resources of statewide significance, as identified on the Coastal Area Map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.		✓		See above.
24A. Prevent impairment of the Estates District Scenic Area of Statewide Significance.		✓		See above.
24B. Prevent impairment of the Ulster North Scenic Area of Statewide Significance.		✓		See above.
25. Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the Coastal Area.		✓		See above.
25A. Prevent impairment of scenic resources incorporated within the Mid-Hudson Historic Shorelands Scenic District.		✓		See above.
25B. Protect and enhance the scenic qualities of roads in the Town designated as scenic roads.		✓		See above.
I. Agricultural Lands Policy				
26. Not applicable to Red Hook.	✓			
26A. To conserve and protect agricultural lands in the Coastal Area of the Town of Red Hook, an action shall not result in a loss, nor impair the productivity of important agricultural lands, if that loss or impairment would adversely affect the viability of agriculture in an Agricultural District, or if there is no Agricultural District, in the area surrounding such lands.	✓			No development is proposed as part of this action. Micro hydropower facilities permitted by the action in the Coastal Area would be subject to site specific review of impacts to agricultural lands and resources.
2 J. Energy and Ice Management Policies				
27. Decisions on the siting and construction of major energy facilities in the Coastal Area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	✓			
28. Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	✓			

29. Not applicable to Red Hook.	✓			
K. Water and Air Resources Policies				
30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and national water quality standards.	✓			
31. State Coastal Area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.	✓			
32. Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	✓			
33. Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	✓			
34. Discharge of waste materials into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	✓			
35. Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	✓			
36. Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	✓			
37. Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	✓			
38. The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	✓			
38A. Work to re-establish and maintain the Saw Kill Water Quality Surveillance Program.	✓			

39. The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within Coastal Areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	✓			
40. Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.	✓			
41. Land use or development in the Coastal Area will not cause national or State air quality standards to be violated.	✓			
42. Coastal management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	✓			
43. Land or development in the Coastal Area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	✓			
44. Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.	✓			

**TOWN OF RED HOOK
RESOLUTION NO. _____
DATED OCTOBER 12, 2021**

**RESOLUTION DETERMINING APPLICATION OF TOWN ZONING
LAWS TO SAW KILL TRAIL PROJECT**

WHEREAS, the Town Board of the Town of Red Hook is considering a proposal for the construction of the Saw Kill Trail Project as a cooperative project pursuant to a proposed cooperative agreement and two easements entitled “Deed of Conservation Easement and Public Access Easement” given by Winnakee Land Trust, Inc. to the Town, each dated February 14, 2020 and filed as Document No. 02-2020945 and 02-2020947, respectively (the “Project”), and

WHEREAS, the project consists of the establishment of a trail in multiple phases from the Town of Red Hook Recreation Park west ultimately terminating at a parking lot located at the Bard Alumni Center on NYS Route 9G, as described in a sketch map on file with the Town (the “Project”); and

WHEREAS, the Town Board has held a public hearing on September 22, 2021 and continued on October 12, 2021, at which information regarding the project was presented and members of the public were provided an opportunity to comment; and

WHEREAS, on October 12, 2021, the Town Board adopted a Negative Declaration for the Project pursuant to the State Environmental Quality Review Act, determining that the Project does not have the potential to have significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, the Town Board has undertaken a review of the Project in order to determine whether and to what extent the Town of Red Hook’s Zoning Law applies to the proposed project, taking into account the nine factors set forth in *Matter of County of Monroe v. City of Rochester*, as follows:

1. The nature and scope of the instrumentality seeking immunity.

The Town is a general purpose governmental entity and a political subdivision of the State of New York.

2. The encroaching government’s legislative grant of authority.

Pursuant to New York State Town Law § 64, the Town is a general purpose governmental entity with the authority to manage municipal property and finances and to carry out projects for the benefit of the Town. The Town is authorized under Town Law § 220 to establish public parks and acquire the necessary lands therefor.

3. The kind of function or land use involved.

The project consists of the establishment of a trail from the Town of Red Hook Recreation Park west terminating at a parking lot located at the Bard Alumni Center on NYS Route 9G. The trail will be unpaved and include boardwalk sections where necessary to traverse wet areas. The proposed trail when completed will be approximately 11,558 feet long including 4,417 feet of existing trail and 6,551 feet of new trail. Approximately 590 feet of trail will be located on existing streets. The total disturbed area not including existing trail is 1.5 acres. The project will not have a significant adverse impact on the environment due to the nature and the design of the trail.

The trail will be created via the removal of limited portions of underbrush within the forest. Trails, bridges, and boardwalks are limited to a total surface not to exceed eight (8) feet in width. Trails may be constructed of crushed stone, stone dust, wood chips, or another non-impervious surface. Vegetation clearing width is limited to six (6) feet either side of the trail centerline. With the exception of trees that constitute a hazard, the project does not propose to remove any trees and the clearing of brush will be minimized. Non-intrusive structures such as bridges, benches, boardwalks, and kiosks are permitted within the trail and vegetative clearing area.

4. The effect local land use regulation would have upon the enterprise concerned.

Should the Town Board find that the Project is not immune from review under the Zoning Law, the Town of Red Hook Planning Board would have to grant site plan approval for the establishment of the trail. Such procedures could at a minimum result in additional costs and time delays. In addition, the Project is proposed in phases and complete construction of the Project is not proposed in the immediate future. This will result in the need for extensions and/or amendments of site plan approval, resulting in additional administrative burdens. Prior Town projects for recreational facilities have been exempted from the planning process.

5. Alternative locations for the facility in less restrictive zoning areas.

Parks and trail systems are permitted in every district subject to site plan review, with the exception of the Waterfront Conservation District, which also requires the issuance of a special use permit by the Planning Board. No area of Town has less restrictive zoning regulations. The proposed location of the expansion was chosen, in part, due to its proximity to the existing recreation park and future parking facilities constituting a part of the approved master plan for the park.

The Project is the result of a public-private partnership with the Town and the Winnakee Land Trust, Inc., a not-for-profit corporation. The proposed trail is located within the area subject to an existing Conservation Easement and Public Access Easement acquired by the Town.

6. The impact upon legitimate local interests.

Immunity from local land use regulations would allow the Project to go forward, which would allow for the establishment of additional recreational facilities for residents of Red Hook.

Based on the relatively low-impact nature of a trail system use, the primary local interest, if any, that the Project may affect is the local environment. The Town Board has held a public hearing at which the public was afforded an opportunity to comment on the proposed trail system. Pursuant to the State Environmental Quality Review Act ("SEQRA"), the Town Board has reviewed an Environmental Assessment Form regarding Project, a copy of which is on file with the Town Clerk. Upon reviewing all relevant information, as well as the factors listed in SEQRA's implementing regulations, the Town Board determined that the Project will not have significant adverse environmental impacts and will allow its users to better enjoy the natural environmental resources within Red Hook.

We note that the Town has taken note of areas of concern and concluded that the Project would not have significant adverse environmental impacts. While the installation of a portion of boardwalk for the project may be on or within 100 feet of federal wetlands, the limited disturbance caused by a surface boardwalk will be minimal. If needed, the project will be subject to a federal wetlands permit which will mitigate impacts and ensure there is no significant adverse effect on the wetlands. Ground disturbance will be minimal and will consist primarily of the installation of a culvert and of fences or sign posts. The only stream crossing along the trail has been design so as not to disturb the stream bed or bank and does not require a permit from the NYS Department of Environmental Conservation. Any lighting along the trail is subject to restriction under a conservation easement that only allows "stand alone", "off grid" lighting fixtures powered from photovoltaic panels. Outdoor lighting will not result in glare visible from public vantage points or be directed upwards so as to contribute to light pollution.

7. Alternative methods of providing the proposed improvement.

The Project is proposed as a public-private partnership with the Town and the Winnakee Land Trust, Inc., a not-for-profit corporation, with Winnakee proposing to undertake installation of the trail. Alternative methods would include the Town undertaking to construction the project with its own resources.

The trail system is designed to connect to an existing recreational park and provide residents the opportunity to visit and enjoy relatively undisturbed natural resources within the Town. The designated open space has already been protected with covenants that require preservation of important water resources and the area proposed to be made available for public access abuts existing park facilities.

8. The extent of the public interest to be served by the improvements.

The provision of recreational resources is of great importance to the Town and its residents. By undertaking the Project, the Town will enable the enjoyment, appreciation, and protection of important natural resources.

9. Intergovernmental participation in the project development process and an opportunity to be heard.

The Town's acquisition of the Conservation Easements was the subject of a public hearing and Town Board meetings. The Project has been the subject of discussion at a further Town Board meeting. The Town Board held a public hearing on September 22, 2021, to give interested parties an opportunity to be heard. The Town solicited comments and LWRP findings from the Planning Board. The Town also solicited comments on the project from the County Department of Planning and Development, the NYS Department of Environmental Conservation and the NYS Historic Preservation Office. Winnakee solicited comments from DEC regarding the location of the trail in order to protect water resources. The input gathered has been duly considered and has aided in determining how the Project will be designed and implemented based on a review of these considerations by the Town.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF RED HOOK, that, based on the foregoing, the Town Board determines that the Project shall be immune from the application of the Town's Zoning Law.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on October 12, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

PRESENT:

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

ABSENT:

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by _____, seconded by _____, to wit;

RESOLUTION NO. _____
DATED OCTOBER 12, 2021

RESOLUTION DETERMINING APPLICATION OF TOWN ZONING LAWS TO SAW KILL TRAIL PROJECT

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING ____
Councilmember William Hamel	VOTING ____
Councilwoman Christine Kane	VOTING ____
Councilman William O'Neill	VOTING ____
Councilmember Jacob Testa	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 12th day of October, 2021 and entitled:

RESOLUTION NO. _____
DATED OCTOBER 12, 2021

**RESOLUTION DETERMINING APPLICATION OF TOWN ZONING LAWS TO SAW
KILL TRAIL PROJECT**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of October, 2021.

-SEAL-

Deanna Cochran
Town Clerk

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER 12, 2021**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE
FOR THE SAW KILL TRAIL PROJECT**

WHEREAS, the Town Board of the Town of Red Hook is considering a proposal for the construction of the Saw Kill Trail Project as a cooperative project pursuant to a proposed cooperative agreement and two easements entitled “Deed of Conservation Easement and Public Access Easement” given by Winnakee Land Trust, Inc. to the Town, each dated February 14, 2020 and filed as Document No. 02-2020945 and 02-2020947, respectively (the “Project”); and

WHEREAS, on August 10, 2021, the Town Board classified the Project as an unlisted action under the State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency in a review of the project; and

WHEREAS, the Town Board has reviewed a Short Environmental Assessment Form (“SEAF”) and Coastal Assessment Form (“CAF”) for the Project; and

WHEREAS, the Town Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern regarding the Project, including any disclosed in the SEAF and CAF; and

WHEREAS, the Town Board has reviewed a draft Notice of Determination of Non-Significance (Negative Declaration) setting forth reasons supporting a determination that the Project will not have a significant adverse impact on the environment; and

WHEREAS, at its meeting held on October 4, 2021, the Planning Board recommended a finding that the Project is consistent with the Town’s Local Waterfront Revitalization Program; and

WHEREAS, the Town Board has reviewed the Project and its consistency with the Town’s Local Waterfront Revitalization Program, and has reviewed the Planning Board’s finding of consistency.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Red Hook, Dutchess County, New York (by the favorable vote of not less than a majority of all of the members of the Board) hereby

1. Adopts a negative declaration and determines that the Project will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

2. Authorizes and directs the Town Clerk to distribute a copy of this resolution to all involved and interested agencies, the Town Supervisor, and any person that has requested a copy and to make all other filings required by law.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on October 12, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

PRESENT:

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

ABSENT:

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by _____, seconded by _____, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER 12, 2021**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE
FOR THE SAW KILL TRAIL PROJECT**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING ____
Councilmember William Hamel	VOTING ____
Councilmember Christine Kane	VOTING ____
Councilmember William O'Neill	VOTING ____
Councilmember Jacob Testa	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 12th day of October, 2021 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER 12, 2021**

RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE FOR THE SAW KILL TRAIL PROJECT

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of October, 2021.

-SEAL-

Deanna Cochran
Town Clerk

Project: Sawkill Trail

Date: September 22, 2021

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The project consists of the establishment of a trail from the Town of Red Hook Recreation Park west terminating at a parking lot located at the Bard Alumni Center on NYS Route 9G. The trail will be unpaved and include boardwalk sections where necessary to traverse wet areas. The proposed trail when completed will be approximately 11,558 feet long including 4,417 feet of existing trail and 6,551 feet of new trail. Approximately 590 feet of trail will be located on existing streets. The total disturbed area not including existing trail is 1.5 acres. The project will not have a significant adverse impact on the environment due to the nature and the design of the trail.

The trail will be created via the removal of narrow portions of underbrush within the forest. Trails, bridges, and boardwalks are limited to a total surface not to exceed eight (8) feet in width. Trails may be constructed of crushed stone, stone dust, wood chips, or another non-impervious surface. Vegetation clearing width is limited to six (6) feet either side of the trail centerline. With the exception of trees that constitute a hazard, the project does not propose to remove any trees and the clearing of brush will be minimized. Non-intrusive structures such as bridges, benches, boardwalks, and kiosks are permitted within the trail and vegetative clearing area.

While the installation of a portion of boardwalk for the project may be on or within 100 feet of federal wetlands, the limited disturbance caused by a surface boardwalk will be minimal. If needed, the project will be subject to a federal wetlands permit which will mitigate impacts and ensure there is no significant adverse effect on the wetlands.

Ground disturbance will be minimal and will consist primarily of the installation of a culvert and of fences or sign posts. The only stream crossing along the trail has been designed so as not to disturb the stream bed or bank and does not require a permit from NYSDEC.

Along the Fir Street extension, any potential impacts on neighboring residences due to noise, light, or change in neighborhood character will be mitigated by the installation of fencing and vegetative screening.

Any lighting along the trail is subject to restriction under a conservation easement that only allows "stand alone", "off grid" lighting fixtures powered from photovoltaic panels. Outdoor lighting will not result in glare visible from public vantage points or be directed upwards so as to contribute to light pollution.

Based on the above, the project has been designed to have a limited impact on the site to that its users can enjoy the natural environment. Accordingly, the project will not have significant adverse environmental impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☒	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Red Hook Town Board	September 22, 2021
Name of Lead Agency	Date
Robert McKeon	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**LOCAL WATERFRONT REVITALIZATION PROGRAM CONSISTENCY DETERMINATION
Town of Red Hook, New York**

On May 2, 1995, the Town of Red Hook adopted a Local Waterfront Revitalization Program (LWRP), which was approved by the New York State Department of State on September 20, 1995. The LWRP requires that the lead agency under the State Environmental Quality Review Act (SEQR) must make a determination that an action under its jurisdiction which is located within the Coastal Boundary is consistent to the maximum extent practicable with the LWRP prior to approving, funding or undertaking the action.

This form is designed to assist the Town Board in making a consistency determination. The form lists the 44 policies of the LWRP. The Town Board will evaluate a proposed action against each of the policies, indicating that the action is "consistent" or "not consistent" with the policy, or that the policy is "not applicable," by checking the appropriate column. For an explanation of the policies, please review the LWRP, which is on file in the Office of the Town Clerk in the Red Hook Town Hall.

Section V.C of the LWRP states that if the agency determines that the proposed action would cause a substantial hindrance to the achievement of the LWRP policies, such action shall not be undertaken unless the agency determines with respect to the proposed action that:

- a. No reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of the LWRP policy standards and conditions;
- b. The action would be undertaken in a manner which will minimize all adverse effects on the LWRP policy standards and conditions to the maximum extent practicable; and
- c. The action will result in an over-riding Town, regional or state-wide public benefit.

Actions that are not consistent with the LWRP policies must provide evidence that the above standards will be met before the Town Board can issue a consistency determination.

Name of Action: Sawkill Trail Project

Consistency Determination

The Town Board of the Town of Red Hook has reviewed the proposed action against the policies of the Town's Local Waterfront Revitalization Program and has determined that the proposed action is consistent with the policies of the LWRP.

Town Clerk

Date

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
A. Development Policies				
1. Not applicable to Red Hook.	✓			
1A. Encourage growth of the tourism sector of the Town economy through: (1) preservation, enhancement and/or reuse appropriate areas and structures within the LWRP area/Historic Shorelands Scenic District, and (2) taking steps to inform the public of existing areas of historic, scenic, and recreational interest.		✓		Proposed project will provide a trail for recreational and educational activities.
2. Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.	✓			
3. Not applicable to Red Hook.	✓			
4. Not applicable to Red Hook.	✓			
5. Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other Coastal Areas.	✓			No development other than a trail is proposed as part of the action.
6. Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	✓			
B. Fish and Wildlife Policies				
7. Significant coastal fish and wildlife habitats, as identified on the Coastal Area Map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.	✓			Proposed trail will be located east of Route 9G, which is not adjacent to or within the vicinity of the Hudson River where significant fish and wildlife habitats are located.

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
7A. Protect the areas identified as significant habitat areas by the Department of State as well as the creeks, kills, wetland and cove areas draining into and adjacent to the Hudson River from alteration and/or pollutant discharge by residential, commercial, agricultural or industrial uses in order to maintain their viability as habitat areas.	✓			The portion of the trail that will be located in an area identified as having rare plants or animals consists of lands immediately adjacent to Route 9G and a parking lot, both of which have been previously disturbed. Proposed project will not impact any streams or wetlands within the Local Waterfront Revitalization area.
8. Protect fish and wildlife resources in the Coastal Area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.	✓			No hazardous wastes or other pollutants will result from the project.
9. Expand recreational use of fish and wildlife resources in Coastal Areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	✓			
10. Further develop commercial finfish, shellfish, and crustacean resources in the Coastal Area by: (1) encouraging the construction of new, or improvement of existing, on-shore commercial fishing facilities; (2) increasing marketing of the State's seafood products; and (3) maintaining adequate stocks and expanding agricultural facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.	✓			
C. Flooding and Erosion Hazards Policies				
11. Buildings and other structures will be sited in the Coastal Area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.	✓			No buildings or other structures are proposed within the Local Waterfront Revitalization area.

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
12. Activities or development in the Coastal Area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.	✓			
13. The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	✓			
14. Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	✓			
15. Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent of such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	✓			
16. Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	✓			
17. Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (1) the set back of buildings and structures; (2) the planting of vegetation and the installation of sand fencing and draining; (3) the reshaping of bluffs; and (4) the flood-proofing of buildings or their elevation above the base flood level.	✓			

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
D. General Policy				
18. To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the Coastal Area must give full consideration to those interests, and to the safeguards which the State and municipality have established to protect valuable coastal resource areas.	✓			A major action is not proposed.
E. Public Access Policies				
19. Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks	✓			Proposed project is not located adjacent to the Hudson River or other water resources within the Local Waterfront Revitalization area.
20. Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	✓			See above.
20A. Reasonable vehicular access and pedestrian access shall be provided, whenever feasible, to the publicly owned foreshore and public ownership or easement over adjoining land will be pursued, where appropriate.	✓			See above.
F. Recreation Policies				
21. Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.	✓			See above.

21A. Undertake efforts to establish a Town dock and park area or areas in Barrytown to provide public access for water-related recreation activities including fishing and boating.	✓			See above.
22. Development, when located adjacent to the shore, will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.	✓			See above.
G. Historic Resource Policy				
23. Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the nation.		✓		No buildings or other structures are proposed within the Local Waterfront Revitalization area.
23A. Conserve, protect, preserve and, if appropriate, promote the adaptive reuse of places, sites, structures, views and features in the Coastal Area of the Town of Red Hook of special historic, cultural or archaeological significance or which by reason of association with notable people or events, or of the antiquity or uniqueness of architectural and landscape design particular significance to the heritage of the Town.		✓		See above.
H. Scenic Quality Policies				
24. Prevent impairment of scenic resources of statewide significance, as identified on the Coastal Area Map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.		✓		No buildings or other structures are proposed within the Local Waterfront Revitalization area. Only underbrush will be removed; no trees will be removed.
24A. Prevent impairment of the Estates District Scenic Area of Statewide Significance.		✓		See above.
24B. Prevent impairment of the Ulster North Scenic Area of Statewide Significance.		✓		See above.
25. Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the Coastal Area.		✓		See above.

25A. Prevent impairment of scenic resources incorporated within the Mid-Hudson Historic Shorelands Scenic District.		✓		See above.
25B. Protect and enhance the scenic qualities of roads in the Town designated as scenic roads.		✓		See above.
I. Agricultural Lands Policy				
26. Not applicable to Red Hook.	✓			
26A. To conserve and protect agricultural lands in the Coastal Area of the Town of Red Hook, an action shall not result in a loss, nor impair the productivity of important agricultural lands, if that loss or impairment would adversely affect the viability of agriculture in an Agricultural District, or if there is no Agricultural District, in the area surrounding such lands.	✓			No lands within a NYS certified agricultural district in the Local Waterfront Revitalization area will be impacted.
2 J. Energy and Ice Management Policies				
27. Decisions on the siting and construction of major energy facilities in the Coastal Area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	✓			
28. Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	✓			
29. Not applicable to Red Hook.	✓			
K. Water and Air Resources Policies				
30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and national water quality standards.	✓			
31. State Coastal Area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.	✓			
32. Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	✓			
33. Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	✓			
34. Discharge of waste materials into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	✓			

35. Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	✓			
36. Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	✓			
37. Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	✓			
38. The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	✓			
38A. Work to re-establish and maintain the Saw Kill Water Quality Surveillance Program.	✓			
39. The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within Coastal Areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	✓			
40. Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.	✓			
41. Land use or development in the Coastal Area will not cause national or State air quality standards to be violated.	✓			
42. Coastal management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	✓			
43. Land or development in the Coastal Area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	✓			
44. Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.		✓		No tidal or freshwater wetlands in the Local Waterfront Revitalization area will be impacted by the project.

TOWN OF RED HOOK

RESOLUTION NO. _____
DATED _____, 2021

**RESOLUTION AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF AGREEMENT BETWEEN TOWN OF RED HOOK AND
WINNAKEE LAND TRUST, INC.
REGARDING THE SAW KILL TRAIL PROJECT**

WHEREAS, the Town Board of the Town of Red Hook is considering a proposal for the construction of the Saw Kill Trail project as a cooperative project pursuant to a proposed cooperative agreement and two easements entitled "Deed of Conservation Easement and Public Access Easement" given by Winnakee Land Trust, Inc. to the Town, each dated February 14, 2020 and filed as Document No. 02-2020945 and 02-2020947, respectively; and

WHEREAS, the Town Board has determined that entering into a Memorandum of Agreement Regarding the Saw Kill Trail Project between the Town of Red Hook and Winnakee Land Trust, Inc. in connection with the Saw Kill Trail Project, in substantially the form on file with the Town Clerk (the "Memorandum of Agreement"), is in the best interests of the Town; and

WHEREAS, the proposed action constitutes an unlisted action which has been determined not to have an adverse effect on the environment;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Red Hook, Dutchess County, New York (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. The Supervisor is hereby authorized and directed to execute the Memorandum of Agreement in substantially the form on file with the Town Clerk, with such changes as shall be approved by the Supervisor and which do not affect the substance thereof.

2. The Supervisor the Town Clerk, and the Town's other officers, employees and agents are hereby authorized and directed for, and in the name and on behalf of the Town, to do all acts and things required or provided by the provisions of the Memorandum of Agreement.

3. This resolution shall take effect immediately.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on _____, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

PRESENT:

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

ABSENT:

The following persons were ALSO PRESENT:
Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by _____, seconded by _____, to wit;

RESOLUTION NO. _____

DATED: _____, 2021

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN TOWN OF RED HOOK AND WINNAKEE LAND TRUST, INC. REGARDING THE SAW KILL TRAIL PROJECT

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING ____
Councilmember William Hamel	VOTING ____
Councilwoman Christine Kane	VOTING ____
Councilman William O'Neill	VOTING ____
Councilmember Jacob Testa	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the ____ day of _____, 2021 and entitled:

RESOLUTION NO. _____
DATED: _____, 2021

**RESOLUTION AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF AGREEMENT BETWEEN TOWN OF RED HOOK AND
WINNAKEE LAND TRUST, INC.
REGARDING THE SAW KILL TRAIL PROJECT**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of _____, 2021.

-SEAL-

Deanna Cochran
Town Clerk

MEMORANDUM OF AGREEMENT
Town of Red Hook and Winnakee Land Trust, Inc.

Saw Kill Trail Project

This Agreement is dated as of the ____ day of _____, 2021, by and between the **Town of Red Hook**, a municipal subdivision of the State of New York situate in Dutchess County, with offices at 7340 South Broadway, Red Hook, NY, 12571 (“Town of Red Hook”); and **Winnakee Land Trust, Inc.** (hereafter referred to as “Winnakee”), a New York not-for-profit corporation having an office at 187 East Market Street, Post Office Box 610, Rhinebeck, New York 12572;

W I T N E S S E T H:

WHEREAS, pursuant to a “Deed of Conservation Easement and Public Access Easement” given by Winnakee Land Trust, Inc. to the Town, dated February 14, 2020 and filed as Document No. 02-2020945, Winnakee has granted to the Town a Public Access Easement and Conservation Easement with respect to Tax ID Numbers 6173-16-946326 and 6173-00-019222, and pursuant to a “Deed of Conservation Easement and Public Access Easement” given by Winnakee Land Trust, Inc. to the Town, dated February 14, 2020 and filed as Document No. 02-2020947, Winnakee has granted to the Town a Public Access Easement and Conservation Easement with respect to Tax ID Numbers 6173-00-847544 and 6173-16-980322 (collectively the “Easements”); and

WHEREAS, the Town has the right to construct certain public trails at the property described above (the “Property”) in accordance with the terms of the Easements; and

WHEREAS, all things necessary to constitute this agreement a valid and binding agreement by and between the parties in accordance with the terms hereof have been duly performed, and the execution and delivery of this agreement have in all respects been duly authorized by the respective parties;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree to as follows:

1. Cooperative Project: The parties agree to cooperate in the installation of public trails at the Property in a manner acceptable to each of them, consistent with the requirements for a public trail permitted to be installed by the Town pursuant to the Easement. Such trail may be constructed in one or more phases as determined by the parties. The concept trail plan and project description are attached hereto at Exhibit A and B, respectively.

2. Costs of the Project: The costs of the Project will be borne by the parties in accordance with a budget to be approved by each of them, with substantially all of the costs of trail installation intended to be paid by Winnakee.

3. Construction and

Maintenance of Trails: The trail route, construction and signage plan for the trails will be subject to approval by the Town, which may be approved in phases. Construction of Phase II segments will be subject to determination by the parties that any necessary rights of way have been secured. Trails constructed pursuant to this MOA will be deemed to be trails constructed by the Town for purposes of the provisions of Section 6.1 of the Conservation Easements. The Town retains the rights under the Conservation Easement including the right to suspend use of all or a portion of the Public Trail from time to time in its discretion, with the effect set forth in the Conservation Easement. Pursuant to the Conservation Easements, Winnakee would not have responsibility for maintaining any Public Trail improvements except in the limited circumstance involving such suspension of use by the Town as further set forth therein.

4.

Indemnity: Each party agrees to indemnify and hold harmless the other parties and their respective agents and employees from any cause, claim, action, liability, fine, penalty, or proceeding (including reasonable attorneys' fees) arising directly or indirectly out of the negligent acts or omissions of the first party or its officers, employees, or agents with respect to this agreement. This provision as well as the additional provisions of this agreement are solely for the benefit of the parties and the parties intend no benefits to third persons.

5. **Insurance:** Each party shall obtain liability insurance in the amount of not less than \$2,000,000, and statutory employee and workers' compensation insurance, in each case from a company authorized to issue such policies in the State of New York and rated at least A/X by A.M. Best's Rating Service, or equivalent satisfactory to the other party, and such policy shall name the other as an additional named insured and shall provide for not less than 30 days notice of cancellation to such additional insured. Satisfactory evidence of such policies shall be furnished to by each party to the others prior to commencement of work under this agreement. Nothing in this agreement is intended to modify or amend the requirements of the Easements.

6. **Status of Personnel:** Nothing in this agreement shall impose any liability or duty on the Town for the payment of taxes of any nature including but not limited to unemployment insurance, workman's compensation, disability benefits and social security to any person, firm or corporation.

7. **Term of Agreement:** This agreement shall continue in force for an initial period commencing with the date of this agreement and ending December 31, 2022, subject to extension by agreement of the parties.

8. **Termination.** Any party may terminate this agreement at any time upon thirty (30) days' notice to the other party. The provisions of Section 3 shall survive termination to the extent of any claims arising prior to the date of termination.

9. **No Assignment or Subcontracts.** No party shall assign or subcontract its obligations under this agreement without the express written consent of the governing board of the other party.

10. **Notice:** Any and all notices and payments required hereunder shall be addressed as set forth above, or to such other address as may hereafter be designated in writing by a party hereto.

11. Disputes: The parties agree and understand that the Supreme Court, Dutchess County, New York shall have exclusive jurisdiction of any controversy or claim arising out of or relating to this agreement, or the breach thereof.

12. Miscellaneous Provisions:

(A) This agreement constitutes the complete understanding of the parties. No modification of any provisions hereof shall be valid unless in writing and signed by both parties. This agreement may be executed in one or more counterparts, each of which shall be an original for all purposes.

(B) No waiver of any breach of any condition of this agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

IN WITNESS WHEREOF, the undersigned parties have each caused this agreement to be signed by their duly authorized officers as of the day and year first above written.

TOWN OF RED HOOK

By: _____
Robert McKeon, Supervisor

WINNAKEE LAND TRUST, INC.

By: _____
President

**Execution Page of
MEMORANDUM OF AGREEMENT
Town of Red Hook and Winnakee Land Trust, Inc.
Saw Kill Trail Project**

Draft 8 30 21

Concept Trail Plan

Draft 8 30 21

Project Description—Saw Kill Trail Project

Saw Kill Trail Project

Winnakee Land Trust, Inc. is the owner of the following parcels of land purchased with proceeds from a NYS DEC water source protection grant and a conservation and public access easement granted to the Town of Red Hook under the Town's CPF Program:

- Deed of Conservation Easement and Public Access Easement given by Winnakee Land Trust, Inc. to the Town, dated February 14, 2020 and filed as Document No. 02-2020945, Tax ID Numbers 6173-16-946326 and 6173-00-019222, Tax ID
- Deed of Conservation Easement and Public Access Easement" given by Winnakee Land Trust, Inc. to the Town, dated February 14, 2020 and filed as Document No. 02-2020947, Tax ID Numbers 6173-00-847544 and 6173-16-980322

Pursuant to the Conservation Easements, Winnakee and the Town are each permitted to construct public trails subject to certain conditions. Winnakee and the Town propose to enter into a Memorandum of Agreement ("MOA") providing for the cooperative installation of a trail in phases. A concept trail plan is to be attached to the MOA.

The first phase of the trail includes two segments:

1. The first segment extends from existing accessible parking lot and informational kiosk at the Town Rec Park (West) to an overlook on the Saw Kill. The segment from the Town Rec Park (West) is 2,720 feet and primarily follows an existing grass trail formerly used for vehicular access. The last 300 feet will need to be cleared of underbrush. No trees will be removed. One culvert needs to be installed that drains a NWI wetland. Classified as a Class C stream, no DEC permit is required.
2. The second segment extends from Fir Street west along the course of an existing water main line. The segment along the water main line is an existing woods road covered with grass that is used for maintenance purposes by the town water department. It is 2,050 feet. There is an existing culvert that connects the two sections of the NWI wetland. An entrance will need to be cleared at the end of Fir Street to access the woods road. No trees will be removed. At the western end of the trail, signs will be posted indicating that private property is ahead, and you must turn around.

Phase two includes four segments:

1. Construction of a trail that leads from the first segment of Phase I to another lookout and creates a loop for the trail from the Town Rec Park (West) to the first Lookout. This is 1,300 feet. Extensive underbrush will be cleared, but no trees removed.
2. Construction of a trail north from the first segment of Phase I to connects to Fir Street. It will consist of 650 feet on upland, requiring removal of brush, but no trees and 100 feet of boardwalk, connecting to the paper street. Along the paper street, fences will be installed to provide privacy to the two adjoining homeowners.
3. Construction of a trail north from the water main line for 900 feet to where a 25-foot prefab bridge will be installed. There will be no disturbance of the streambank, so no

DEC permit will be required. The trail will proceed on upland for 225 feet, then for 50 feet on boardwalk to connect to Kelly Road.

4. Construction of a trail from Kelly Road across the Twin Towers Lane west along the course of the existing water main line for 525 feet, then north for 1,225 feet to the WLT property line. Subject to obtaining rights of way, from there the trail will continue for 200 feet across two private landowners, then continue on Bard College property to the Alumni Center parking lot. Extensive underbrush will have to be cleared in some sections, but no trees removed.

The project is subject to the terms of the Conservation Easements including the following:

- a. Any lighting is subject to restriction under the CE as follows: only “stand alone”, “off grid” lighting fixtures powered from photovoltaic or PV panels. Outdoor lighting shall not result in glare visible from public vantage points, which is inconsistent with the rural character and the natural environment. Outdoor light fixtures shall control the light output so that it shines only where needed and is directed toward the ground and not into the sky. Lighting inappropriate for a rural setting, such as non-timer unshielded post lights, shall not be permitted.
- b. Any signage is limited to (i) mark a roadway or name a trail; (ii) are customarily used for posting; (iii) announce that the Property is subject to a conservation easement; or (iv) provide for interpretation of cultural, natural or historical significance.
- c. Trails, bridges, and boardwalks are limited to a total surface not to exceed eight (8) feet in width. Trails may be constructed of crushed stone, stone dust, wood chips, or another non-impervious surface. Vegetation clearing width is limited to six (6) feet either side of trail centerline. To provide for public safety and to keep the trail open, removal of hazard trees is allowed within vegetative cleared area, but brush clearing is to be minimized to the extent possible.
- d. The trails may include associated bridges, benches, boardwalks, and kiosks within the permitted trail and permitted vegetative clearing area.
- e. Trails are for passive recreational and educational activities, including without limitation hiking, walking, running, x-country skiing, show shoeing, biking, and visual enjoyment of the woods, wetlands and river.
- f. Americans with Disabilities Act (ADA) Access – Any permitted walking or hiking shall be deemed to include permission for “Other Power-Driven Mobility Devices” as defined by the U.S. Department of Justice for individuals with mobility impairments, subject to such rules and regulations as Winnakee or Town may provide.

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED _____, 2021**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE
FOR THE SAW KILL TRAIL PROJECT**

WHEREAS, the Town Board of the Town of Red Hook is considering a proposal for the construction of the Saw Kill Trail Project as a cooperative project pursuant to a proposed cooperative agreement and two easements entitled “Deed of Conservation Easement and Public Access Easement” given by Winnakee Land Trust, Inc. to the Town, each dated February 14, 2020 and filed as Document No. 02-2020945 and 02-2020947, respectively (the “Project”); and

WHEREAS, on August 10, 2021, the Town Board classified the Project as an unclassified action under the State Environmental Quality Review Act (“SEQRA”) and declared its intent to serve as lead agency in a review of the project; and

WHEREAS, the Town Board has reviewed a Short Environmental Assessment Form (“SEAF”) and Coastal Assessment Form (“CAF”) for the Project; and

WHEREAS, the Town Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern regarding the Project, including any disclosed in the SEAF and CAF; and

WHEREAS, the Town Board has reviewed a draft Notice of Determination of Non-Significance (Negative Declaration) setting forth reasons supporting a determination that the Project will not have a significant adverse impact on the environment; and

WHEREAS, at its meeting held on _____, 2021, the Planning Board recommended a finding that the Project is consistent with the Town’s Local Waterfront Revitalization Program; and

WHEREAS, the Town Board has reviewed the Project and its consistency with the Town’s Local Waterfront Revitalization Program, and has reviewed the Planning Board’s finding of consistency.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Red Hook, Dutchess County, New York (by the favorable vote of not less than a majority of all of the members of the Board) hereby

1. Adopts a negative declaration and determines that the Project will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

2. Authorizes and directs the Town Clerk to distribute a copy of this resolution to all involved and interested agencies, the Town Supervisor, and any person that has requested a copy and to make all other filings required by law.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on _____, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

PRESENT:

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

ABSENT:

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by _____, seconded by _____, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED _____, 2021**

**RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE
FOR THE SAW KILL TRAIL PROJECT**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING ____
Councilmember William Hamel	VOTING ____
Councilmember Christine Kane	VOTING ____
Councilmember William O'Neill	VOTING ____
Councilmember Jacob Testa	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the _____ day of _____, 2021 and entitled:

TOWN OF RED HOOK
RESOLUTION NO. ____
DATED _____, 2021

RESOLUTION ADOPTING A SEQRA DETERMINATION OF NONSIGNIFICANCE FOR THE SAW KILL TRAIL PROJECT

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this _____ day of _____, 2021.

-SEAL-

Deanna Cochran
Town Clerk

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov



**Department of
Environmental
Conservation**

August 31, 2021

VIA EMAIL

Town of Red Hook
Katie Khakhar
Deputy Town Clerk
deputytownclerk@redhook.org

Re: SAWKILL TRAIL PROJECT
Town of Red Hook, Dutchess County
DEC ID: 3-1348-00220/00001
SEQR Lead Agency Response

Dear Town of Red Hook,

The Department of Environmental Conservation (DEC or Department) received your State Environmental Quality Review Act (SEQR) Lead Agency Coordination on August 11th, 2021. The proposal involves an unpaved trail, including boardwalk sections where necessary to traverse wet areas, and fences installed to buffer the trail from private property. The project site is located on or involving various tax lots from the Red Hook Recreation Park west to the Bard Alumni Center parking lot on NYS Route 9G. The Department has no objection to the Town of Red Hook Town Board serving as lead agency for this project. Based on our review of the submitted materials, including the EAF, we offer the following comments:

PROTECTION OF WATERS STREAM DISTURBANCE

The following stream is located within or near the site you indicated:

<u>Name</u>	<u>Class</u>	<u>DEC Water Index Number</u>	<u>Status</u>
Tribs. and subtribs. of Saw Kill	C	H-158-3	Non-protected
Saw Kill	B(T)	H-158	Protected
Tribs. and subtribs. of Saw Kill	C	H-158-5	Non-Protected

A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as "protected." A permit is not required to disturb the bed or banks of "non-protected" streams.

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken



**Department of
Environmental
Conservation**

August 31, 2021

to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

FRESHWATER WETLANDS

Your project/site is not within a New York State-protected Freshwater Wetland. However, please contact your town officials and the United States Army Corps of Engineers (917) 790-8411, for any permitting they might require.

WATER QUALITY CERTIFICATION

The project site may contain federally regulated wetland area. The United States Army Corps of Engineers (ACOE) may require a permit for work completed in or impacting a federal wetland. If the US Army Corps of Engineers requires a permit pursuant to Section 404 of the Clean Water Act, then a Section 401 Water Quality Certification will be required. Issuance of these certifications is delegated in New York State to DEC. If the project qualifies for a Nationwide Permit, it may be eligible for coverage under DEC's Blanket Water Quality Certification. Coverage under the blanket requires compliance with all conditions in the blanket for the corresponding Nationwide Permit. A copy of the current blanket for the 2017 Nationwide Permits is available on the DEC website at: http://www.dec.ny.gov/docs/permits_ej_operations_pdf/wqcnwp2017.pdf.

In 2020 the EPA implemented a new rule on the processing and issuance of Water Quality Certifications. Among the requirements are submission of a pre-filing meeting request 30-days prior to submission of the application and a number of additional specifications for the application materials themselves. Forms for pre-filing meeting request and a supplemental to the Joint Application for Water Quality Certifications are available online at <https://www.dec.ny.gov/permits/6222.html>.

You must submit the Water Quality Certification Pre-Filing Request Form at least 30 days before you plan to submit the application. When submitting, the application must include the Water Quality Certification Joint Application Supplement WQC-1 Form.

STATE-LISTED SPECIES

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near record(s) of the following state-listed species:

Name	Status
<u>Bald Eagle (<i>Haliaeetus leucocephalus</i>)</u>	<u>Threatened</u>

A permit is required for the incidental taking of any species listed as "endangered" or "threatened", which can include removal of habitat. Based on the location of the project location which is over 0.5 miles from the closest Bald Eagle nest, this project is not likely to impact Bald Eagles. No further review is necessary but new eagle nests may be established each breeding season. The breeding season runs from January 1st to September 30th so records should be checked for new nests each year.

The absence of data does not necessarily mean that other rare or state-listed species, natural communities or significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot

provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) STORMWATER

If the overall project will disturb over one acre of land, the project sponsor must obtain coverage under the current SPDES General Permit for Stormwater Discharge from Construction Activity (GP-0-20-001), and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. Authorization for coverage under this SPDES General Permit is not granted until the Department issues all other necessary DEC permits.

FEMA FLOODPLAIN

The project site is located within a Federal Emergency Management Agency (FEMA) floodplain. The municipality will determine if any additional jurisdictions are applicable to the proposal.

COASTAL MANAGEMENT ZONE, LOCAL WATERFRONT REVITALIZATION PLAN

The project site is located within the Coastal Management Zone. If the Department had individual permit approvals for this project, the Department would review it in accordance with Coastal Management Program requirements. For additional information about the Coastal Management Zone, please contact the NYS Department of State at (518)-474-6000 or doscostlcr@dosny.gov. Furthermore, the project site is located within the Red Hook Local Waterfront Revitalization Plan (LWRP) area. It should also be noted that the project site is within the Scenic Areas of Statewide Significance (SASS) boundaries. The municipality will determine if further coordination is required.

CULTURAL RESOURCES

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources.

The project area you identified is located within/adjacent to the Hudson River Historic District, listed on the National Register of Historic Places. If any DEC permits are required, a determination of impact from the State Historic Preservation Office (SHPO) will be required.

For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

OTHER

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. More information about DEC permits may be found at our website,

Re: SAWKILL TRAIL PROJECT
DEC ID: 3-1348-00220/00001

August 31, 2021

www.dec.ny.gov, under "Regulatory" then "Permits and Licenses." Application forms may be downloaded at <http://www.dec.ny.gov/permits/6081.html>.

Please feel free to contact this office if you have questions regarding the above information. Thank you.

Sincerely,

Glennys A.

Romero Medina

Digitally signed by Glennys
A. Romero Medina
Date: 2021.08.31 12:45:43
-04'00'

Glennys Romero Medina
Division of Environmental Permits
Region 3, Telephone No. (845)256-2250
Glennys.RomeroMedina@dec.ny.gov

ecc: Winnakee Land Trust
Brian Orzel, US Army Corps of Engineers
NYS Dept. of State – Coastal Consistency Unit



Parks, Recreation, and Historic Preservation

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

September 9, 2021

Robert McKeon
Supervisor - Town of Red Hook
7340 South Broadway
Red Hook, NY 12571

Re: SEQRA
Sawkill Trail
Town of Red Hook, Dutchess County, NY
21PR05399

Dear Robert McKeon:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

This portion of this project takes place within the boundary of the Hudson River Historic District, which is a National Historic Landmark. Therefore, under SEQRA, our office as subject matter experts in historic preservation, has reviewed the proposed trail work received on August 12, 2021. Based upon our review, the OPRHP has no additional comments regarding historic or archaeological resources.

If the lead agency concludes that additional studies would be beneficial to identify and/or assess potential impacts to archeological and historic resources eligible for the registers, the OPRHP would be pleased to provide additional guidance.

If this project will involve state or federal permitting, funding or licensing, it may require a more rigorous review for potential impacts to architectural and archaeological resources, in accordance with Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law. If you have any questions, I am best reached by email.

Sincerely,

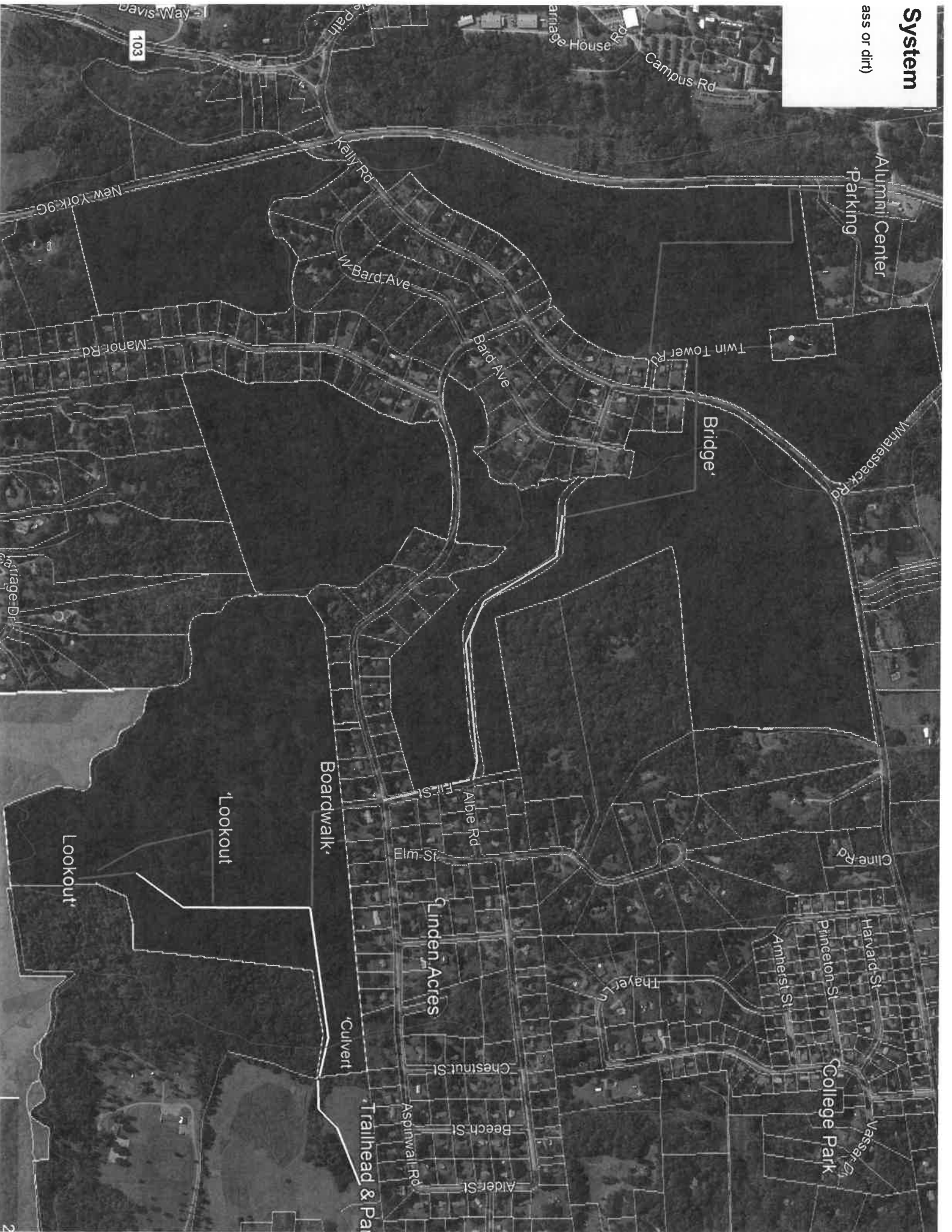
A handwritten signature in black ink, appearing to read "DR", with a stylized flourish at the end.

Derek Rohde
Historic Site Restoration Coordinator
e-mail: derek.rohde@parks.ny.gov

via e-mail only

System

ass or dirt)



**LOCAL WATERFRONT REVITALIZATION PROGRAM CONSISTENCY DETERMINATION
Town of Red Hook, New York**

On May 2, 1995, the Town of Red Hook adopted a Local Waterfront Revitalization Program (LWRP), which was approved by the New York State Department of State on September 20, 1995. The LWRP requires that the lead agency under the State Environmental Quality Review Act (SEQR) must make a determination that an action under its jurisdiction which is located within the Coastal Boundary is consistent to the maximum extent practicable with the LWRP prior to approving, funding or undertaking the action.

This form is designed to assist the Planning Board in making a consistency determination. The form lists the 44 policies of the LWRP. Applicants are requested to make a preliminary assessment of the project's consistency by completing the attached Table, which the Planning Board will review in making its determination. For each policy, applicants are requested to indicate that the project is either "consistent" or "not consistent" with the policy, or that the policy is "not applicable," by checking the appropriate column. For an explanation of the policies, please review the LWRP, which is on file in the Planning Board office in the Red Hook Town Hall.

Section V.C of the LWRP states that if the agency determines that the proposed action would cause a substantial hindrance to the achievement of the LWRP policies, such action shall not be undertaken unless the agency determines with respect to the proposed action that:

- a. No reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of the LWRP policy standards and conditions;
- b. The action would be undertaken in a manner which will minimize all adverse effects on the LWRP policy standards and conditions to the maximum extent practicable; and
- c. The action will result in an over-riding Town, regional or state-wide public benefit.

Applicants whose proposals are not consistent with the LWRP policies must provide evidence that the above standards will be met before the Planning Board can issue a consistency determination.

Name of Action: Sawkill Trail Project

Consistency Determination

The Town of Red Hook Planning Board has reviewed the proposed action against the policies of the Town's Local Waterfront Revitalization Program and has determined that the proposed action is consistent with the policies of the LWRP.

Planning Board Chairperson

Date

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
A. Development Policies				
1. Not applicable to Red Hook.	✓			
1A. Encourage growth of the tourism sector of the Town economy through: (1) preservation, enhancement and/or reuse appropriate areas and structures within the LWRP area/Historic Shorelands Scenic District, and (2) taking steps to inform the public of existing areas of historic, scenic, and recreational interest.		✓		Proposed project will provide a trail for recreational and educational activities.
2. Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.	✓			
3. Not applicable to Red Hook.	✓			
4. Not applicable to Red Hook.	✓			
5. Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other Coastal Areas.	✓			No development other than a trail is proposed as part of the action.
6. Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.	✓			
B. Fish and Wildlife Policies				
7. Significant coastal fish and wildlife habitats, as identified on the Coastal Area Map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.	✓			Proposed trail will be located east of Route 9G, which is not adjacent to or within the vicinity of the Hudson River where significant fish and wildlife habitats are located.

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
7A. Protect the areas identified as significant habitat areas by the Department of State as well as the creeks, kills, wetland and cove areas draining into and adjacent to the Hudson River from alteration and/or pollutant discharge by residential, commercial, agricultural or industrial uses in order to maintain their viability as habitat areas.	✓			The portion of the trail that will be located in an area identified as having rare plants or animals consists of lands immediately adjacent to Route 9G and a parking lot, both of which have been previously disturbed. Proposed project will not impact any streams or wetlands within the Local Waterfront Revitalization area.
8. Protect fish and wildlife resources in the Coastal Area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal or lethal effect on those resources.	✓			No hazardous wastes or other pollutants will result from the project.
9. Expand recreational use of fish and wildlife resources in Coastal Areas by increasing access to existing resources, supplementing existing stocks, and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.	✓			
10. Further develop commercial finfish, shellfish, and crustacean resources in the Coastal Area by: (1) encouraging the construction of new, or improvement of existing, on-shore commercial fishing facilities; (2) increasing marketing of the State's seafood products; and (3) maintaining adequate stocks and expanding agricultural facilities. Such efforts shall be in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.	✓			
C. Flooding and Erosion Hazards Policies				
11. Buildings and other structures will be sited in the Coastal Area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.	✓			No buildings or other structures are proposed within the Local Waterfront Revitalization area.

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
12. Activities or development in the Coastal Area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.	✓			
13. The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.	✓			
14. Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development, or at other locations.	✓			
15. Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent of such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.	✓			
16. Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.	✓			
17. Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (1) the set back of buildings and structures; (2) the planting of vegetation and the installation of sand fencing and draining; (3) the reshaping of bluffs; and (4) the flood-proofing of buildings or their elevation above the base flood level.	✓			

Local Waterfront Revitalization Consistency Form				
		Consistent		
Policy	N/A	Yes	No	Comments
D. General Policy				
18. To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the Coastal Area must give full consideration to those interests, and to the safeguards which the State and municipality have established to protect valuable coastal resource areas.	✓			A major action is not proposed.
E. Public Access Policies				
19. Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks	✓			Proposed project is not located adjacent to the Hudson River or other water resources within the Local Waterfront Revitalization area.
20. Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.	✓			See above.
20A. Reasonable vehicular access and pedestrian access shall be provided, whenever feasible, to the publicly owned foreshore and public ownership or easement over adjoining land will be pursued, where appropriate.	✓			See above.
F. Recreation Policies				
21. Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.	✓			See above.

21A. Undertake efforts to establish a Town dock and park area or areas in Barrytown to provide public access for water-related recreation activities including fishing and boating.	✓			See above.
22. Development, when located adjacent to the shore, will provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.	✓			See above.
G. Historic Resource Policy				
23. Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the State, its communities, or the nation.		✓		No buildings or other structures are proposed within the Local Waterfront Revitalization area.
23A. Conserve, protect, preserve and, if appropriate, promote the adaptive reuse of places, sites, structures, views and features in the Coastal Area of the Town of Red Hook of special historic, cultural or archaeological significance or which by reason of association with notable people or events, or of the antiquity or uniqueness of architectural and landscape design particular significance to the heritage of the Town.		✓		See above.
H. Scenic Quality Policies				
24. Prevent impairment of scenic resources of statewide significance, as identified on the Coastal Area Map. Impairment shall include: (i) the irreversible modification of geologic forms, the destruction or removal of vegetation, the destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.		✓		No buildings or other structures are proposed within the Local Waterfront Revitalization area. Only underbrush will be removed; no trees will be removed.
24A. Prevent impairment of the Estates District Scenic Area of Statewide Significance.		✓		See above.
24B. Prevent impairment of the Ulster North Scenic Area of Statewide Significance.		✓		See above.
25. Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the Coastal Area.		✓		See above.

25A. Prevent impairment of scenic resources incorporated within the Mid-Hudson Historic Shorelands Scenic District.		✓		See above.
25B. Protect and enhance the scenic qualities of roads in the Town designated as scenic roads.		✓		See above.
I. Agricultural Lands Policy				
26. Not applicable to Red Hook.	✓			
26A. To conserve and protect agricultural lands in the Coastal Area of the Town of Red Hook, an action shall not result in a loss, nor impair the productivity of important agricultural lands, if that loss or impairment would adversely affect the viability of agriculture in an Agricultural District, or if there is no Agricultural District, in the area surrounding such lands.	✓			No lands within a NYS certified agricultural district in the Local Waterfront Revitalization area will be impacted.
2 J. Energy and Ice Management Policies				
27. Decisions on the siting and construction of major energy facilities in the Coastal Area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.	✓			
28. Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.	✓			
29. Not applicable to Red Hook.	✓			
K. Water and Air Resources Policies				
30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and national water quality standards.	✓			
31. State Coastal Area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.	✓			
32. Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.	✓			
33. Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.	✓			
34. Discharge of waste materials into coastal waters from vessels will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.	✓			

35. Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.	✓			
36. Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.	✓			
37. Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.	✓			
38. The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.	✓			
38A. Work to re-establish and maintain the Saw Kill Water Quality Surveillance Program.	✓			
39. The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within Coastal Areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.	✓			
40. Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.	✓			
41. Land use or development in the Coastal Area will not cause national or State air quality standards to be violated.	✓			
42. Coastal management policies will be considered if the State reclassifies land areas pursuant to the prevention of significant deterioration regulations of the Federal Clean Air Act.	✓			
43. Land or development in the Coastal Area must not cause the generation of significant amounts of the acid rain precursors: nitrates and sulfates.	✓			
44. Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.		✓		No tidal or freshwater wetlands in the Local Waterfront Revitalization area will be impacted by the project.

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF RED HOOK

LOCAL LAW NO. E (Proposed) of 2021

A local law adopted pursuant to NYS Cannabis Law § 131 opting out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of Red Hook outside of any village.

Be it enacted by the Town Board of the Town of Red Hook as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to opt the Town of Red Hook out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments within its boundaries. This law is intended to further the Town's goals of preserving quality of life and protecting the public health. The Town Board finds that prohibiting these uses will achieve the aforementioned goals and is in the public interest.

SECTION 2. AUTHORITY

This local law is adopted pursuant to NYS Cannabis Law § 131, which expressly authorizes municipalities to opt out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

SECTION 3. LOCAL CANNABIS RETAIL DISPENSARY AND ON-SITE CONSUMPTION OPT-OUT

The Town Board of the Town of Red Hook, County of Dutchess, hereby opts out of allowing cannabis retail dispensaries and cannabis on-site consumption establishments within its boundaries, outside the jurisdiction of any village. Pursuant to and in accordance with NYS Cannabis Law § 131, the Town Board hereby requests that the New York State Cannabis Control Board prohibit the establishment of such retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town outside the jurisdiction of any village.

SECTION 4. SEVERABILITY

The provisions of this local law are severable. If any provision of this local law or the application thereof to any person, firm, corporation, or circumstance is adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or impair the validity of the other provisions of this local law or the application thereof to other persons and circumstances.

SECTION 5. PERMISSIVE REFERENDUM/REFERENDUM ON PETITION

This local law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure set forth in Municipal Home Rule Law §24.

EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Municipal Home Rule Law § 27(1).

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF RED HOOK

LOCAL LAW NO. F (Proposed) of 2021

A local law adopted pursuant to NYS Cannabis Law § 131 opting out of allowing retail cannabis dispensaries within the Town of Red Hook outside of any village.

Be it enacted by the Town Board of the Town of Red Hook as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to opt the Town of Red Hook out of allowing retail cannabis dispensaries within its boundaries. This law is intended to further the Town's goals of preserving quality of life and protecting the public health. The Town Board finds that prohibiting these uses will achieve the aforementioned goals and is in the public interest.

SECTION 2. AUTHORITY

This local law is adopted pursuant to NYS Cannabis Law § 131, which expressly authorizes municipalities to opt out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

SECTION 3. LOCAL CANNABIS RETAIL DISPENSARY OPT-OUT

The Town Board of the Town of Red Hook, County of Dutchess, hereby opts out of allowing cannabis retail dispensaries within its boundaries, outside the jurisdiction of any village. Pursuant to and in accordance with NYS Cannabis Law § 131, the Town Board hereby requests that the New York State Cannabis Control Board prohibit the establishment of such retail dispensary licenses within the jurisdiction of the Town outside the jurisdiction of any village.

SECTION 4. SEVERABILITY

The provisions of this local law are severable. If any provision of this local law or the application thereof to any person, firm, corporation, or circumstance is adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or impair the validity of the other provisions of this local law or the application thereof to other persons and circumstances.

SECTION 5. PERMISSIVE REFERENDUM/REFERENDUM ON PETITION

This local law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure set forth in Municipal Home Rule Law §24.

EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Municipal Home Rule Law § 27(1).

**Tradition at Red Hook
25 Old Farm Road Development, LLC**

October 8, 2021

Town of Red Hook
7340 South Broadway
Red Hook NY 12571

Attention: Supervisor McKeon and Town Board Members

**Re: Tradition at Red Hook
25 Old Farm Road Development, LLC
Application Fee Waiver**

Dear Supervisor McKeon and Town Board Members:

Tradition at Red Hook, a 102 lot TND development on Old Farm Road in the Town of Red Hook is under construction, and well on its way to becoming an attractive and contributing element of the Red Hook community. The Covid-19 shutdowns had resulted in some delays, but we are diligently working towards finalizing the project. Nonetheless, the last 3 sections of the subdivision plat will not be filed by mid-December. Subdivision Plats which are filed in sections, as Tradition has been, are subject to a peculiar requirement that requires Planning Board action to extend the period to file plat sections with the County Clerk beyond 3 years from the first section filing. This extension technically requires an “application” and a “reapproval,” instead of a mere resolution of extension.

The Town’s fee schedule has no provision for this unique class of application, which involves no change in existing approvals, and generates no need for supplemental environmental review, and is similar in effect to an extension made by motion.

The Planning Board consultants have advised us that, since they can only apply the existing Town fee schedule, only the Town Board can grant a waiver or other relief from the imposition of the normal application fee schedule. This schedule, which applies to new projects involving complete review, would require both Preliminary Application and Final Application fees that are substantially

**Re: Tradition at Red Hook
25 Old Farm Road Development, LLC
Application Fee Waiver**

disproportional to the amount of review required. As there are no changes in the project, and this application is merely to extend the filing deadline, we respectfully request that the Town Board waive both the Preliminary Application Fee and the Final Application Fees as they have been interpreted and only assess the actual cost of the review process to be funded in the form of escrow fees, to fully offset the cost of the Town's consultant review of the application.

We request that this action be placed on the next available Town Board Agenda for consideration. Thank you in advance for your time and consideration.

Very truly yours,

25 Old Farm Road Development, LLC



Richard M. Rang, PE

Cc: Christine Chale, Esq. (via email)
Jennifer Gray, Esq. (via email)
Michele Greig, Ph. D AICP (via email)
Jennifer Van Tuyl, Esq. (via email)
Joseph T. Kirchhoff (via email)
Joseph A. Bonura, Jr. (via email)

TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER __, 2021

**RESOLUTION REGARDING OFFERS OF CESSION FOR PUBLIC ACCESS
EASEMENT FOR TRADITION AT RED HOOK**

WHEREAS, the Town of Red Hook Planning Board adopted a resolution on August 15, 2016, entitled, “Resolution Granting Site Plan Approval to Hoffman Property Traditional Neighborhood Development” and a resolution on August 15, 2016, entitled “Resolution Granting Approval to Final Subdivision Plan and Incentive Zoning for Hoffman Property Traditional Neighborhood Development Subdivision,” for a 102-lot residential community development project known as the “Hoffman Property” (the “Hoffman TND Project”), which gave permission to file the subdivision plat in sections, and required that the section plats be filed in numerical order, and which resolutions were duly filed in the office of the Town Clerk on August 16, 2016; and

WHEREAS, Red Hook Acres, LLC, as part of its development plan for the Hoffman TND Project, offered to dedicate a certain parcel or parcels of land within the project for recreation purposes, as shown on a drawing set prepared by LRC Group, Project Engineers, entitled “Final Site Plan and Overall Subdivision Plan Set for Hoffman Property,” last revised on August 15, 2018, and as provided in the proposed subdivision for the for the 102 lot residential community and Lot 103 on drawings prepared by LRC Group, Project Engineers, entitled “Hoffman Property Final Subdivision Plat” last revised on August 15, 2018, including the “Hoffman Subdivision Section Plat #1,” last revised on August 15, 2018; and

WHEREAS, the Hoffman TND Project is now referred to as “Tradition at Red Hook,” which still contemplates the development of a 102-lot residential community with accompanying common areas (the “Project”); and

WHEREAS, the Town of Red Hook Planning Board adopted two Resolutions on April 1, 2019, entitled, respectively, “Resolution Granting Amended Site Plan Approval to Tradition of Red Hook (Formerly Hoffman TND),” (hereinafter referred to as “Amended Site Plan Approval Resolution”) and “Resolution Granting Approval to the Amended Final Subdivision Plat for Tradition at Red Hook (Formerly Hoffman TND),” (hereinafter referred to as “Amended Subdivision Approval Resolution” and together with the Amended Site Plan Approval Resolution, the “2019 Approval Resolutions”), which Amended Subdivision Approval Resolution gave permission to file the Subdivision Plat in Sections, and required that the Section Plats be filed in numerical order; both of which 2019 Approval Resolutions were duly filed in the office of the Town Clerk on April 2, 2019; and

WHEREAS, pursuant to the 2019 Approval Resolutions, 25 Old Farm Road Development, LLC (the “Owner”) has been granted conditional final approval by the Town of Red Hook Planning Board for the Project; and

WHEREAS, the Owner, as part of its development plan for the Project, has now voluntarily offered to dedicate to the Town one or more public access easements (“Public Access Easements”) with respect to a portion of the recreational amenities located on certain parcel or parcels of land within the Project, as shown on a drawing set prepared by LRC Group, Project Engineers, entitled “Site Plan Submission Set for Tradition at Red Hook,” last revised on May 7, 2019, and including an overall lot layout plan last revised May 7, 2019, and as provided in the proposed subdivision for the 102-lot residential community on drawings prepared by LRC Group, Project Engineers, entitled “Hoffman Property Final Subdivision Plat,” last revised on August 15, 2018 (“Overall Subdivision Plat”), and the “Tradition at Red Hook, Final Subdivision Plat, Section Plat #4,” last revised on May 25, 2021 (“Section 4 Plat”) and the “Tradition at Red Hook, Final Subdivision Plat, Section Plat #5,” last revised on May 25, 2021 (“Section 5 Plat”); and

WHEREAS, the Owner has submitted for approval the following:

- (i) an Irrevocable Offer of Cession for the Public Access Easements with respect to certain portions of the recreational improvements identified in the Amenities Plan on file with the Town Clerk, including
 - North-South Trail, portion in Section 4 Plat
 - North-South Trail, portion in section 6 Plat
 - Passive Open Space, Parcel D (Main Square) in section 1 Plat
 - Passive Open Space, Parcel B (Triangle) in section 4 Plat
 - Multi-purpose Field and Southeast Trail in section 7 Plat.,with an undertaking to complete the execution and delivery of such Irrevocable Offer of Cession by December 31, 2021;
- (i) a reference copy of said Amenities Plan; and
- (ii) a memorandum of terms and conditions for the public access easement proposed to be offered pursuant to the Irrevocable Offer of Cession, which form of public access easement is to be attached to the final form of Irrevocable Offer of Cession;

WHEREAS, the Owner has acknowledged that the recreational improvements described (i) through (iii) above are to be completed during the plat section stage described in the recreational features by section plan approved by PB and as such will be included within the performance bond amounts and inspection fee escrows to be provided in connection with the filing of the related plat section;

WHEREAS, the acceptance of the Irrevocable Offer described in (i) through (iii) above is in the best interests of the Town subject to the conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Red Hook as follows:

- 1) Acceptance of the Irrevocable Offer described in (i) thorough (iii) above is authorized upon completion of the following conditions; provided that the Town

reserves the right to determine whether to accept said easements described in the Irrevocable Offer in its sole discretion upon completion thereof:

- a) Delivery of the hold harmless agreement and evidence of the current general liability insurance policy in form satisfactory to the Attorney for the Town;
 - b) Delivery of a policy of title insurance, or commitment therefor with policy to be delivered at the time of acceptance, with respect to the interest of the Town in the proposed conveyances, subject to only such exceptions as shall be approved by the Attorney for the Town and as shall be consistent with the terms hereof;
 - c) Receipt by the Town of payment for any and all outstanding consultant invoices included estimated costs, bringing the escrow account for development review costs fully up to date;
 - d) Final executed forms of the documents referred to in (i) through (iii) above with an undertaking for proper recording thereof approved by the Attorney for the Town; and
- 2) The Supervisor, Town Engineer, and Attorney for the Town may take all steps reasonable and necessary in consultation with the Attorney for the Town to implement the intent of this resolution.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on October __, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

The following persons were ALSO PRESENT:

The following resolution was offered by Councilmember _____
seconded by Councilmember _____, to wit;

RESOLUTION NO. ____
DATED OCTOBER __, 2021

RESOLUTION REGARDING OFFER OF CESSION FOR PUBLIC ACCESS EASEMENTS FOR TRADITION AT RED HOOK

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING ____
Councilman Bill Hamel	VOTING ____
Councilwoman Christine Kane	VOTING ____
Councilman William O'Neill	VOTING ____
Councilman Jacob Testa	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Town Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town ") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the ____ day of October, 2021, and entitled:

RESOLUTION NO. ____
DATED OCTOBER ____, 2021

**RESOLUTION REGARDING OFFER OF CESSION FOR PUBLIC ACCESS
EASEMENTS FOR TRADITION AT RED HOOK**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of _____, 2021.

-SEAL-

Deanna Cochran, Town Clerk

PROPOSED TERMS OF IRREVOCABLE OFFER OF CESSION OF PUBLIC ACCESS EASEMENTS TRADITION SUBDIVISION

GENERAL TERMS

- **Irrevocable Offer of Cession:**

Developer will deliver to Town of Red Hook ("the Town") in recordable form an Irrevocable Offer of Cession of Public Access Easements over each of the elements of the Tradition subdivision designated on the Project Plans for public access or recreation use (hereafter, "the Offer").¹

- **No cost to Town:**

All Offers are without any required cost or monetary consideration by the Town.

- **Homeowners Association will continue to maintain the trail/recreation Elements:**

The Homeowner's Association has the obligation under the Planning Board Site Plan and Subdivision Approval Resolutions (hereafter, "the Approvals") to maintain all trails and recreational improvements on the property in perpetuity. That obligation will continue after the acceptance of any of the Offers.

- **Proposed immediate recording of Offer:**

It is proposed that the Town immediately record the Irrevocable Offer of Cession. The recording will assure that any subsequent transactions are subject to the Irrevocable Offer of Cession of these Public Access Easements.

- **Public access to be preserved pending acceptance of Easements:**

Developer will preserve public access rights over the public access Elements prior to any recording of the Offer by recording Declarations of Public Access with each of the Section Plats. These Declarations will explicitly grant the Town rights to enforce the public access as part of its subdivision and site plan enforcement authority and will also explicitly refer to the Offer.

- **Town has discretion to accept any, or all, of the offered easements:**

The Offer will separately describe each of the public access/public recreation elements as they are shown on the approved Subdivision/Site Plan drawings (hereafter "Approved Plans"), including:

- North-South Trail, portion in Section 4 Plat
- North-South Trail, portion in section 6 Plat

¹ The IO's for the Section 4 Plat are immediately available for acceptance and recording, and the Developer requests that these be immediately accepted with the others to follow as soon as possible.

- Passive Open Space, Parcel D (Main Square) in section 1 Plat
- Passive Open Space, Parcel B (Triangle) in section 4 Plat
- Multi-purpose Field and Southeast Trail in section 7 Plat.

and will provide the Town with the right, without obligation, to accept each of the Elements offered; and further providing that the Town, in its discretion, may accept or reject each Element individually, and may accept an easement over one or more Elements without thereby incurring any obligation to accept any other Element.

- Improvements to be completed prior to commencement of public access:

Public access pursuant to the offered easements would commence after acceptance of the Offer with respect to that Element, and after completion of all the physical improvements relating to that Element as shown on the Approved Plans and completion of road and sidewalk construction providing access from the public street system to all entrances/exits to the relevant trail or field, including top course of asphalt and cessation of use of such roads by construction vehicles. Completion to these standards to be certified by inspection by the Town Engineer, fees for which will be paid from the inspection fee escrow.

- Town's authority to regulate public access:

Upon accepting any of the Offered Easements, the Town will have the right, but not an obligation, to regulate public access to the easement areas, including, without limitation, the right to post rules for use of public access and other limitations similar to other public trails and/or recreation areas within the town e.g. no smoking, no golfing, no littering, limitation of hours of operation and access, and the like; the right to enforce rules applicable to Town public trails and/or recreation facilities, and to exclude those who do not comply with applicable rules; and the right to close trails/field due to adverse weather or other condition.

- Insurance:

Town will have no obligation to indemnify HOA for public use of trail, passive open space, or field, but Town and HOA will independently insure their respective interests. With respect to league play on the multi-purpose field, leagues will be required to provide insurance coverage for injuries/damages caused by actions of league players using the field.

- General terms:

Public Access easement not transferable except to another qualified entity, and with HOA consent.

ELEMENTS OF TRADITION PROPOSED PUBLIC ACCESS EASEMENT

All Elements described herein are shown on the attached AMENITIES PLAN for TRADITION AT RED HOOK (Sheet AM-1 SP) as amended through 5-17-19. Lengths and areas described below are approximate, and

reference is made to Sheet AM-1 SP and the Approved Plans (survey descriptions to be provided) for exact lengths and areas.

1. The North-South Trail (Plat Section 4 and Section 6):

An active public trail easement extending from the southern portion of the site (entering from two points along Beekman Road, by paths near Lot 15 and Lot 18) and then turning westward and then continuing northward through the Parcel A Open Space for a total distance in excess of three thousand lineal feet to exit back onto the public road system near lot 58. The first half of this trail will be built during development of Section 4 of the Plat and the second half will be built during development of Section 6 of the Plat. The open space area over which the public easement would extend is a total of 3.68 acres. This trail will include integrated picnic tables/ benches as shown on the Approved Plans.

2. Passive open space: Parcel D—Main Square (Plat Section 1):

This is an easement over the outdoor areas of the Tradition primary central square (0.47 A.) at the entrance to the community from Old Farm Road. The Square will be landscaped with grass, shrubs, trees, benches, and paths as shown on the Approved Plans. This is not an active trail, but an area of passive recreational use of open space. Public access to the Parcel D areas has already been provided by a Declaration of Public Access, recorded at the time of the filing of the Section 1 Plat (recorded 12/18/18 as Document # 02 2018 9595).

3. Passive open space: Parcel B (Plat Section 4):

This is a small triangular-shaped, “pocket-park-style” area (0.11 A.) along Beekman Road, with landscaping and benches as detailed on the Approved Plans. It is also not an active trail, but an area of passive use of open space. A Declaration providing public access within Parcel B is proposed to be recorded contemporaneously with the filing of the Section 4 Plat, to preserve the right of Public Access preliminary to any acceptance of the Offer.

4. The multi-purpose field and Southeast Trail (Plat Section 7):

The final element of the easement is access to the multi-purpose field (approximately 2.75 A.) and its accessory walking trail, to be constructed during development of Section 7 of the Plat. The developer will grade the field to meet acceptable standards for a soccer field, U12/U14 in size, serving children younger than 14 years of age, and will construct and stripe the field and fit it with goals and benches. The field is intended for organized group active recreation, in games or practices by organized teams. It is not intended for isolated and unsupervised use.

Use of the field will be subject to reasonable rules to preserve the field and avoid overuse, including the following: The field may be used for up to 3 games or practices on a weekend day. The field may be used for up to 3 additional practices per week on weekdays. The field shall not be used on 2 consecutive days. Where there are more than one game/practice on a weekend day, there shall be

at least an hour between the end of one event and the beginning of another. The HOA will have the continuing obligation to maintain the field pursuant to a maintenance schedule to be approved by the Planning Board as part of the Section 7 plat review. The HOA will have the right to close the field periodically for maintenance and may decline to schedule games/practices on days when the HOA itself has scheduled an event at the Field.

In the exercise of its Easement rights, the Town shall have the right to manage the scheduling for the use of the field, either through the Town Recreation Department or otherwise, in accordance with the use limitations and maintenance requirements described above, and coordinated with the HOA to avoid schedule conflicts.

An integral aspect of the multi-purpose field is the Trail along its outer perimeter, called "the Southeast Trail." This trail, which is mowed grass on two sides and gravel on the other, will also be constructed as part of the Section 7 plat. It will become the third public trail element on the property, of a length in excess of one thousand lineal feet, and provides a ready connection to the North-South Trail.

The applicant will provide for public access to the Field and Southeast Trail by Declaration at the time Section 7 Plat is presented for signature, thus preserving the right of Public Access preliminary to any acceptance of the Offer relating to these Elements. Initial access from Beekman Road to the Field and Southeast Trail follows the southbound path used to access the North-South Trail. The Offer for the Field and Southeast Trail will include the grant of access over this southbound leg, to assure that the Town would have access to the Field/Southeast Trail even it were to accept the Offer relating to the Field/Southeast Trail while not accepting the Offer relating to the North-South Trail.

RIGHTS RESERVED TO OWNER/GRANTOR/HOA

- **Limitation of easement grant:**

Easement granting public access extends only to elements described in the easements and does not extend to other elements, including Dog park and path around Dog park, Playground, Mail Building, Community Garden, Community Center building, Parcel C Square. Developer/HOA reserves right to place signage as may be required on private areas proximate to public easement areas, to demarcate boundaries.

- **Temporary closure:**

Rights to close trails, passive open space, or multi-purpose field for limited periods necessary due to ice or other adverse weather conditions, for maintenance or capital improvements, and for occasional scheduled events held by HOA.

- **Rights of HOA members to use areas subject to Offer and Easement:**

Rights of property owners within Tradition, as members of the HOA, to use all Easement Areas described in the Offer under the terms set forth in the HOA rules, which rules are not superseded by Town rules applicable to access by public.

- Rights to regulate public access pursuant to Declarations in advance of Town acceptance of public access easement:

Rights reserved in recorded Declaration(s) including right of HOA to exclude members of the public who fail to comply with terms of public access, right to amend terms of public access under the same limitation set forth in the recorded Declaration for Parcel D.

- Rights pursuant to Approved Plans:

Rights to place and maintain non-trail related improvements (such as utility improvements, stormwater improvements, directional signage, etc.) within the public access areas as shown on the Approved Plans.

- All rights not inconsistent with Offer and Easement:

All other rights not inconsistent with the easement, including rights to use the property in accordance with the approvals, right to sell, lease, transfer, mortgage, or otherwise transfer interests in the property, subject to the Irrevocable Offer of the public access easement; and right to grant other easements as depicted in the Land Use approvals, subject to the provisions of Note 4 on Sheet SB-5 SP, that: "Open Space parcels A, B, C, and D are intended to serve the Recreational and Open Space purposes described on the approved plans, and the limited additional functions (e.g. storm drainage, SDS, underground utility pipes) shown on the approved plans, which have been found to be compatible with said Open Space and Recreational use. These parcels cannot be converted to any residential or commercial use. Additionally, a material change in the type of recreational use will require review and approval by the Planning Board. The recreational amenities shown on Open Space Parcels B, C, and D and on Open Space Parcel A are to be maintained by the Homeowners Association in Perpetuity."

- No diminishment in size of property for purposes of zoning compliance:

The easement(s) shall not be deemed to diminish the size of the Property for purposes of compliance with applicable zoning or land use regulations.

Town Supervisor

From: Doreen Buono
Sent: Tuesday, October 5, 2021 12:23 PM
To: Christine Chale; Town Supervisor
Cc: Hank Van Parys
Subject: Renewal of Operator Contract for Additional Year

Our operator contract is dated January 2020, with the option for up to three additional one-year extensions, and assumption of subject agreement by C3ND Environmental Consulting.

It's time to consider extending the subject contract for an additional year.

I recommend extending the contract for an additional year. I am satisfied with the performance of C3ND, and see no reason to seek a different operator at this time.

Hank Van Parys

RESOLUTION NO. _____
DATED OCTOBER 12, 2021

**AUTHORIZING THE RENEWAL OF THE
AGREEMENT FOR PROFESSIONAL SERVICES
(WATER SYSTEM OPERATOR—WATER DISTRICT NO. 1)
BETWEEN THE TOWN OF RED HOOK AND
C3ND ENVIRONMENTAL CONSULTING, LLC**

WHEREAS, an Agreement for Professional Services (Water System Operator-Water District No. 1) (“Agreement”) dated January 1, 2020 was entered into between the Town of Red Hook and VRI Environmental Services, Inc. for a term of one year with an option for up to three additional one-year renewal terms; and

WHEREAS, with the consent of the Town pursuant to Resolution No. 31 adopted May 11, 2021, the Agreement was assigned by VRI Environmental Services, Inc. to C3ND Environmental Consulting, LLC (“Operator”); and

WHEREAS, the Water Board has recommended that the Town exercise its option to renew the Agreement with Operator for a second one-year renewal period from January 1, 2022 to December 31, 2022; and

WHEREAS, such renewal of the Agreement is hereby determined to be in the best interests of the Town and Water District No. 1;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Red Hook, as follows:

1. Supervisor Robert McKeon, or in his absence, the Deputy Supervisor, is hereby authorized and directed to give notice of election to renew the Agreement with Operator for a one-year period from January 1, 2022 to December 31, 2022.
2. This resolution shall take effect immediately.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on October 12, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

ABSENT:

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by _____, seconded by _____, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. _____
DATED OCTOBER 12, 2021**

**AUTHORIZING THE RENEWAL OF THE
AGREEMENT FOR PROFESSIONAL SERVICES
(WATER SYSTEM OPERATOR—WATER DISTRICT NO. 1)
BETWEEN THE TOWN OF RED HOOK AND
C3ND ENVIRONMENTAL CONSULTING, LLC**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING _____
Councilmember William Hamel	VOTING _____
Councilmember Christine Kane	VOTING _____
Councilmember William O'Neill	VOTING _____
Councilmember Jacob Testa	VOTING _____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 12th day of October, 2021 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. _____
DATED OCTOBER 12, 2021**

**AUTHORIZING THE RENEWAL OF THE
AGREEMENT FOR PROFESSIONAL SERVICES
(WATER SYSTEM OPERATOR—WATER DISTRICT NO. 1)
BETWEEN THE TOWN OF RED HOOK AND
C3ND ENVIRONMENTAL CONSULTING, LLC**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this _____ day of October, 2021.

-SEAL-

Deanna Cochran
Town Clerk

AMY LINKER

43 Benner Road, Red Hook, NY 12571 • (310) 968-5615 • linker.amy@gmail.com

Professional Summary

Experienced Museum Registrar with twenty years' experience. Areas of expertise include exhibition and collections management. Seeking to apply leadership skills and extensive experience to a dynamic cultural institution.

Skills

- Management of museum collections
- Exhibition and large-scale project management
- Assessment of preservation and conservation needs as it pertains to art collections
- Staff development
- Skilled in collection management databases TMS and EmbARK
- Versed in fine art shipping methods/standards
- Development and administration of policies and procedures for best museum practices
- Knowledge of safe handling and storage techniques of art works
- Team leadership
- Budgeting and finance
- Strong verbal communication
- Extremely organized

Work History

Head of Collections and Registration, 09/2021 to Current

Museum Registrar, 03/2015 to 08/2021

Center for Curatorial Studies Hessel Museum of Art, Bard College – Annandale-on-Hudson, New York

- Manage the museum collection and process incoming acquisitions, including deeds of gift, coordinating shipments, condition reports, assessing conservation and storage needs, documentation
- Organize multiple concurrent exhibitions, including preparation and negotiation of loan agreements, insurance implementation, rights and reproduction requests, budget preparation, coordinating shipments, creating installation schedules, managing art handlers.
- Coordinate and liaise with visiting scholars and curators to produce exhibition content
- Assist CCS graduate students with collection and thesis exhibitions and projects, including creating exhibition budgets, coordinating shipments, installation planning
- Maintain records, and create reports, in the museum's database, EmbARK. Coordinate with Gallery Systems on maintenance of the database. Verify data integrity and accuracy

- Create and implement policies and procedures for incoming acquisitions, outgoing loans from the collection, incoming loans for exhibitions, as well as best practices for entering data into the museum's database, EmbARK
- Process outgoing loan requests, including reviewing facility reports, coordinating packing and shipping, negotiating loan agreements, reviewing insurance policies, preparing condition reports, rights and reproduction requests, monitoring movement between venues.
- Act as courier for especially delicate objects with installation concerns.
- Coordinated external projects related to programming at the Center for Curatorial Studies at the Park Avenue Armory and the public arts initiative at Governor's Island in New York City.

Exhibition and Shipping Logistics Coordinator, 08/2013 to 01/2015

Masterpiece International, Ltd. – Los Angeles, California

- Coordinate shipping arrangements for objects traveling nationally and internationally for sale, donation, and exhibitions
- Work closely with the Transportation Security Administration (TSA) to ensure that proper federal regulations for maintaining safe transportation standards are being upheld
- Coordinate Customs Clearance services for incoming international loans
- Prepare and apply for US Fish and Wildlife permits, including CITES, Migratory Bird, and Marine Mammal permits
- Prepare shipping estimates; correspond closely with international and national colleagues in museums, other fine art shipping companies, and airlines to ensure the safekeeping of traveling artwork.
- Obtained documents, clearances, certificates and approvals from local, state and federal agencies.

Registrar - Getty (Villa and Center), 09/2002 to 08/2013

The J. Paul Getty Museum – Los Angeles, California

- Started as a Graduate Intern in 2002. Hired as the Assistant Registrar of Exhibitions in 2003. Promoted to Associate Registrar of Exhibitions in 2005. Promoted to Registrar of the Getty Villa in 2007.
- Planned and coordinated traveling exhibitions. Developed and implemented exhibition schedules. Managed exhibition team during exhibition installations/de-installations.
- Reviewed loan agreements and negotiated loan contracts with lenders to exhibitions.
- Worked with domestic and international shipping agents to arrange the transport of loan objects, including courier arrangements.
- Negotiated with international government entities on the return of repatriated works of art
- Maintained insurance coverage for loans to exhibitions including preparation of US Indemnity applications.

- Prepared budgets and quarterly estimated actuals Created and maintained records in the museum's database, (TMS).
- Worked closely with Registrar of Collections Management to create and test reports from TMS, including receipts, spreadsheets, and loan documents.
- Coordinated outgoing loans, incoming loans, accessions and de-accessions from the collection
- Oversaw the management of a collection of over 55,000 objects
- Worked closely with conservators regarding framing, mounting and other conservation concerns.
- Managed Getty Villa Registrar's office. Hired, trained and supervised incoming Graduate Interns
- Assisted in preparation of Federal Immunity from Seizure applications.
- Oversaw compliance to the TSA Certified Screening Program as it related to our facility, including coordinating audits with TSA officials
- Communicated and coordinated with other museum departments and exhibition co-organizers.
- Updated, reviewed and distributed Registrar's Office procedures as new policies came into effect.
- Acted as courier for outgoing loans and traveling exhibitions.
- Trained on Crystal Reports, FileMaker Pro, Access, Excel as it relates to the collection management database and other museum informational systems.
- Co-ordinated with Registrar for Rights and Reproduction to gain permission to photograph and publish works of art on loan for exhibition.

Registrar's Assistant, 04/2001 to 08/2002

Denver Art Museum – Denver, Colorado

- Assisted Registrar on large-scale projects and exhibitions.
- Reviewed loan agreements, loan restrictions and credit lines.
- Maintained traveling exhibition database and generated certificates of insurance for lenders.
- Made courier arrangements.
- Processed incoming and outgoing loans and incoming acquisitions.
- Assisted conservator.
- Monitored environmental conditions of storage areas.
- Evaluated condition of objects and wrote condition reports.
- Assisted with shipping and receiving, art handling and the unpacking of artwork.
- Relocated, labeled, and numbered objects.
- Cataloged, monitored, and created records using the database, ARGUS, including generating reports.
- Digitized images using scanning equipment and Adobe PhotoShop for loan purposes.
- Acted as courier for local art shipments.
- Trained incoming contract registrars.
- Volunteered one day a week with the conservator to learn best preservation and handling practices.

Senior Gallery Assistant, 09/1999 to 08/2001

University of Denver, School of Art & Art History – Denver, Colorado

- Managed gallery.
- Organized, designed and installed exhibitions.
- Assisted artists with installation and transportation of art.
- Assisted in creation of interpretive labels for artwork.
- Student representative on the Faculty Gallery Committee.
- Responsibilities included consideration of proposals for future exhibitions, devising a statement of purpose for the gallery, and discussion of financial concerns of the gallery.
- Organized and cataloged the art collection of the School of Art and Art History.
- Prepared safe storage areas for art collection.
- Created finding aid for art collection in Excel.
- Trained others how to catalog future acquisitions.
- Digitized slides and graphically adjusting images using Adobe PhotoShop for teaching or study Websites and created an inventory list of images.

Archival and Registrar's Assistant, 06/1998 to 07/1999

University of Arizona, Center for Creative Photography – Tucson, Arizona

- Completed condition reports for incoming and outgoing objects in traveling exhibitions.
- Packed and unpacked artwork.
- Cataloged and conditioned new acquisitions.
- Handled delicate photographic material and learned preservation techniques.
- Worked with conservator to stabilize water damaged documents.
- Monitored the humidity and temperature in the gallery space and archival storage areas.
- Assisted in compilation and editing of the Safety Procedure Manual.
- Unpacked and processed new archival collections.
- Created finding aids for collections.
- Monitored, paged, re-filed, and maintained records of archival materials used by researchers.
- In charge of video preservation project.

Education

Master of Arts: Art History, Museum Studies, 2006

University of Denver - Denver, CO, MA

Bachelor of Arts: Art History, 1997

University of New Mexico - Albuquerque, NM

**TOWN OF RED HOOK
RESOLUTION NO. __
DATED OCTOBER 12, 2021**

**ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING
THE 2022 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, the Town is considering submission of a 2022 Community Development Block Grant application; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Red Hook (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. The Town Clerk is hereby authorized and directed to publish a notice of public hearing regarding the proposed application for a 2022 Community Development Block Grant in the Poughkeepsie Journal, the official newspapers of said Town, on or before October 22, 2021, which is not less than five days prior to the date of said public hearing.
2. The Town Board of the Town of Red Hook shall hold a public hearing on October 27, 2021, at 7:35 p.m. at the Town Hall, 7340 South Broadway, Red Hook, New York, to hear all interested parties on said Community Development Block Grant Application.

EXTRACT OF MINUTES

A regular meeting of the Town Board of the Town of Red Hook, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to NYS Laws Ch. 417 of 2021, and via in person meeting at the Town Hall, 7340 South Broadway, Red Hook on October 12, 2021, at 7:30 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such law.

The meeting was called to order by Supervisor Robert McKeon, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Town Hall, 7340 South Broadway, Red Hook, NY, via Videoconference, or via Teleconference.)

	Present	Absent
Supervisor Robert McKeon		
Councilmember William Hamel		
Councilmember Christine Kane		
Councilmember William O'Neill		
Councilmember Jacob Testa		

ABSENT:

The following persons were ALSO PRESENT:

Christine M. Chale, Esq., Attorney for the Town

The following resolution was offered by _____, seconded by _____, to wit;

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER 12, 2021**

**ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING
THE 2022 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Robert McKeon	VOTING ____
Councilmember William Hamel	VOTING ____
Councilmember Christine Kane	VOTING ____
Councilmember William O'Neill	VOTING ____
Councilmember Jacob Testa	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of Red Hook, Dutchess County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 12th day of October, 2021 and entitled:

**TOWN OF RED HOOK
RESOLUTION NO. ____
DATED OCTOBER 12, 2021**

**ESTABLISHING A DATE FOR A PUBLIC HEARING REGARDING
THE 2022 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of October, 2021.

-SEAL-

Deanna Cochran
Town Clerk

NOTICE OF PUBLIC HEARING
TOWN OF RED HOOK

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Red Hook on October 27, 2021 at 7:35 P.M. local time, at the Town Hall, 7340 South Broadway, Red Hook, New York 12571, to hear all interested persons regarding the 2022 Community Development Block Grant application.

Due to the ongoing COVID pandemic, the Town Hall is closed to the general public except by appointment until further notice. Pursuant to NY Laws of 2021 Chapter 417, the public will not be permitted to attend in person. Board members are expected to participate in the public hearing via teleconference or video conference. Please refer to the meeting agenda to be posted on the Town website at <https://www.redhook.org> listing the specific link which will allow the public to view and listen to the proceedings live, which is expected to be available at www.pandativ23.org (click on "WATCH live").

All interested persons will be given an opportunity to be heard as follows: (1) The public is encouraged to submit written comments by email or telephone in advance of the hearing to townclerk@redhook.org and 845-758-4606 by 4:00 p.m. the day of the hearing. Please note "2022 Community Development Block Grant Application." (2) Written comments may be dropped in the Town's drop box in advance of the hearing at the Town Hall, 7340 South Broadway, Red Hook, New York 12571 by 4:00 p.m. the day of the hearing. Please observe the recommendations of the CDC regarding distancing and use of masks. (3) All comments so received in advance of the hearing will be noted in the hearing record. Interested persons may also comment by email or telephone to supervisor@redhook.org and 845-758-4622 on the date of the hearing from the time of opening the hearing until the close of the hearing.

By order of the Town Board of the Town of Red Hook, dated October 12, 2021.

Deanna Cochran
Town Clerk
Town of Red Hook

