TOWN OF STANFORD TOWN BOARD

MINUTES OF THE SPECIAL MEETING

SEPTEMBER 12th, 2016

The Town of Stanford Town Board convened for a Special Meeting on Monday, September 12th, 2016 at 6 PM in order to vote on two proposed local laws as well as other business that they might deem necessary.

Supervisor Norton called the meeting to order at 6 PM with a Salute to the Flag.

Roll call: Joseph Norton - present

Mary Weinberger - present

Linda Eurich - present

Mark D’Agostino - present

Ryan Orton – present

Supervisor Norton called this Special Meeting in order to adopt two local laws that had been discussed at the two previous meetings.

PROPOSED LOCAL LAW #2 OF 2016:

**RESOLUTION #9B of 2016**

**TO ADOPT Local Law #2 of 2016**

**A SIX (6) MONTH MORATORIUM ON**

**SOLAR ENERGY FARMS AND SOLAR ENERGY PANELS**

**IN THE TOWN OF STANFORD**

Resolution offered by Joseph Norton

Seconded by Linda Eurich

WHEREAS, the Town of Stanford [the “Town”], has adopted Zoning as a comprehensive codification to address orderly development in the Town of Stanford, which is codified in Town Code, Zoning, Section 164, and

WHEREAS, the Town of Stanford, as well as surrounding towns, have been presented with applications by individuals and or businesses who seek to place Solar Energy Panels in “solar farms” or other arrays for the collection of solar energy not on household rooves, and

WHEREAS, the Town of Stanford has been presented with concerns by residents and people in the Town the views, development, placement and other concerns over solar energy farms and such concerns, among others, are not properly addressed in the current subdivision and land use or planning regulations of the Town Code, and

WHEREAS, the Town of Stanford realizes the need for orderly development of land, consistent with its Master Plan, and to consider development for the current and future times, which must be balanced with the other concerns of the residents and people in the Town of Stanford, and

WHEREAS, the Town of Stanford seeks, through its Zoning Code, Subdivision of Land, Land Use Regulations and its Master Plan, to preserve the essential character of the Town of Stanford, balancing such interests of its residents, and

WHEREAS, the Town of Stanford seeks to revise its Zoning Code, Subdivision of Land and Land Use Regulations to update it consistent with the needs and concerns of the Town, its residents, and the surrounding towns, and

WHEREAS, the Town of Stanford has received inquiries into the placement of solar energy farms which will entail the creation, establishment, placement, construction of such projects and structures, and it is reasonably expected that the Town of Stanford will receive additional inquiries and applications in the near future, and

WHEREAS, the Town of Stanford believes that the current Zoning, Subdivision of Land and Land Use Regulations do not adequately reflect the Town’s needs, goals, or concerns as to such orderly development, and

WHEREAS, the Zoning Code of the Town of Stanford has been read and interpreted that if there is no specific provision for the stated or permitted use as defined therein for a certain activity or use, it is prohibited, and

WHEREAS, the Town wishes to implement laws and regulations to more effectively protect the health, safety and welfare of the community, and to assure the orderly development of land for residential and commercial purposes in the Town of Stanford, and

WHEREAS, the Town believes it to be in the best interests of all involved to make a careful study and consideration of the matter, and in doing so it needs a Moratorium for a period of Six (6) Months, which the Town believes is the shortest period needed to complete such legislation, and

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WHEREAS, this moratorium is not meant to be prohibitive or exclusionary in nature, and during the moratorium, applications shall be accepted and considered by the Town Board, the Zoning Board of Appeals, the Planning Board, and the Building Inspector. This Moratorium is enacted to balance the aforementioned interests and rights, and done in the narrowest possible way so as to preserve and protect such interests and rights, pending final determination by the Town Board. To avoid any extreme hardships, a variance or waiver of this Moratorium is provided for in this Local Law. The Town Board, has during the period of this Moratorium, accepted, reviewed and decided such waiver requests, and will continue to do so if requested. In accepting an application during the period of this moratorium, however, no action shall be taken other than as permitted herein.

**WHEREAS,** the Town Board of the Town of Stanford referred this proposed Local Law (Number 2P of 2016) to the Dutchess County Department of Planning pursuant to N.Y. General Municipal Law Section 239-m, and the County responded and commented and determined that it was a matter of Local Concern, and the Town Board held a public hearing on this proposed Local Law on September 12, 2016 at a Town Board Special Meeting, and

**WHEREAS,** the adoption of a moratorium is a Type II action under the New York State Environmental Quality Review Act [SEQRA], and as such, no EAF, review or negative declaration is required or completed.

**NOW, BE IT RESOLVED** by the Town Board of the Town of Stanford that it hereby adopts Local Law Number 2 for 2016 for a Six (6) Month moratorium on Solar Energy Farms and Solar Energy Panels, effective upon the date of filing of this local law with the Secretary of State.

That on September 12, 2016, a motion was made by and seconded by for the passage of the above referred Resolution by the Town Board of the Town of Stanford. A Roll Call vote was held, as follows:

Supervisor Joseph Norton voted: YES

Town Board Member Mary Weinberger voted: YES

Town Board Member Linda Eurich voted: YES

Town Board Member Mark D’Agostino voted: YES

Town Board Member Ryan Orton voted: YES

The Resolution was passed by the affirmative vote of the Town Board and thereby adopted this 12th day of September 2016.

2. PROPOSED LOCAL LAW #3 OF 2016:

Resolution offered by Joseph Norton

Seconded by Mary Weinberger

**RESOLUTION# of 2016**

**TO ADOPT Local Law #3 of 2016**

**TO REDUCE THE NUMBER OF PLANNING BOARD MEMBERS**

**FROM SEVEN TO FIVE IN THE TOWN OF STANFORD**

WHEREAS, the Town of Stanford [the “Town”], has a Planning Board with Seven Members, and

WHEREAS, the Town of Stanford Planning Board has had difficulty filling all seven members, and has been in danger of not having a quorum present at its meetings, and as such the Planning Board has requested the reduction in the number of members of the Planning Board to the Town Board, and

WHEREAS, the Town of Stanford Town Board has drafted a local law to reduce the number of members of the Planning Board, scheduled a public hearing on the same, referred the same to the Dutchess County Department of Planning pursuant to General Municipal Law section 239-m, which was determined to be a matter of local concern, and determined the matter is exempt from SEQRA, and held a public hearing on this proposed Local Law on September 6, 2016 at a Town Board Meeting, and

**NOW, BE IT RESOLVED** by the Town Board of the Town of Stanford that it hereby adopts Local Law Number 3 for 2016 to reduce the number of Planning Board members from seven (7) to five (5), effective upon the date of filing of this local law with the Secretary of State.

That on September 12, 2016, a motion was made by and seconded by for the passage of the above referred Resolution by the Town Board of the Town of Stanford. A Roll Call vote was held, as follows:

Supervisor Joseph Norton voted: YES

Town Board Member Mary Weinberger voted: YES

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Town Board Member Linda Eurich voted: YES

Town Board Member Mark D’Agostino voted: YES

Town Board Member Ryan Orton voted: YES

The Resolution was passed by the affirmative vote of the Town Board and thereby adopted this 12th day of September.

Supervisor Norton stated that he would look for a draft zoning ordinance and then circulate to the Board as well as to Planning, Zoning and Building Inspector.

A motion was made at 6:14 PM to close the Special Meeting and go into an Executive Session. Motion carried with a roll call vote: Joseph Norton – yes; Mary Weinberger – yes; Linda Eurich – yes; Mark D’Agostino – yes; Ryan Orton – yes.

The Town Board exited their Executive Session at 6:36 PM on a motion made by Joseph Norton, seconded by Mary Weinberger. Motion carried with a roll call vote: Joseph Norton – yes; Mary Weinberger – yes; Linda Eurich – yes; Mark D’Agostino – yes; Ryan Orton – yes.

Joseph Norton made a motion, seconded by Linda Eurich, to reintroduce the following: that the Town Board received an appeal of a denied FOIL request for documents sent to the Office of the State Comptroller, the individual requests the Town Board to produce the requested documents that were sent to the State Comptroller, therefore, the Town Board denies the appeal request and directs the supervisor to make an appropriate response within the time allocation to confirm the original FOIL denial as denied.

With no other business, a motion to adjourn this Special Meeting was made at 6:37 PM on a motion made by Joseph Norton, seconded by Mary Weinberger . Motion carried with all voting in favor.

Submitted by

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Ritamary Bell

Town Clerk