

Town of Stanford
Meeting Minutes from Comprehensive Plan Review Committee

February 9, 2021

Committee Members Present via Video/Conference Call

- Gary Lovett, Committee Chair
- Rosemarie Miner, Secretary
- James Sansum
- Tom Angell
- Conrad Levenson
- Karen Mosher
- Richard Bell
- Jeff Spiers

Others Present

- Wendy Burton, Town of Stanford Supervisor; Committee Liaison
- Nina Peek, VP AKRF, Inc. Committee Consultant
- Madeleine Helmer, Deputy Project Manager, AKRF, Inc
- Charles Shaw
- Cathy Spiers, Town of Stanford Historian

Members of the public attending: Danielle Salisbury

The meeting opened at 7:30 pm via Zoom Webinar.

Gary reviewed the proposed agenda:

1. Approve minutes of January 26 meeting.
2. Presentation by Charlie Shaw and Cathy Spiers on historic hamlets.
3. Brief discussion of issues chapters 1 and 2, including designating Stanford a right-to-farm community.
4. Discuss draft chapters on Natural Resources and Utilities.

Approval of Minutes

- Version 2 included Nina's edits and is the version that we are motioning for approval.
- Richard proposed that the acronym CAC be written out as Conservation Advisory Commission.
- Richard also had two minor grammatical suggestions.
- The minutes were unanimously approved as amended.

Historic Hamlets

PRESENTATION by Charles Shaw and Cathy Spiers

Overview

Charlie and Cathy will review Chapter 2 and Chapter 4 as it relates to the historic resources of the Town and the recommendations for protecting them. Cathy and Charlie have been working with the Historical Society for the last year to update the 1986 Historic Resources Inventory, originally prepared by the Dutchess County Historical Society and the Dutchess County Planning Department. This is a planning document packed with data but it is out of date because some of the structures in that inventory have been demolished or have decayed beyond repair and other buildings would now qualify.

The two will present recommendations to the Town, which they hope will align with the CPRC's goals. They will recommend the formation of a Historic Resources Advisory Commission and propose updates to the Town Historian position to include more research and preservation efforts. The Historic Resources Advisory Commission should be tasked with establishing criteria for identifying historic hamlet boundaries, developing guidelines for nomination to the National Historic Registry, developing voluntary guidelines and support for renovation and restoration of historic structures under the Certified Local Government program, and surveying historic properties with the building inspector prior to issuance of a building demo permit.

Recommendations for CPRC:

1. The list of hamlets in the draft Comprehensive Plan includes 9 hamlets. The recommendation is to add an additional 6 for their historical value. The additional 5 hamlets are:
 - Old Bulls Head
 - Old Attlebury
 - Federal Square
 - Hull's Mills
 - Stanford Glen
 - Anson's Crossing
2. Update exhibit 2-1. Update exhibit 4-2. Update exhibit 5-8. Add the adjective "historic" in front of the word "hamlet" throughout chapter 2.
3. Bring the Building Inspector, Town Historian and Historical Society into the process before a demolition permit is issued to ensure that historical resources are not destroyed. Currently, SEQR review is only required if a property is listed, eligible for listing, or substantially contiguous with a site on the National Historic Registry. Town law/code revision could state that any structure that is locally significant or on a site that is substantially contiguous with a National Historic Registry eligible site is also included under these protections before a demolition permit is issued. To implement this, the Building Inspector, and other stakeholders, would need an up-to-date inventory approved and accepted by the Town Board. The inventory is contained in figure 2-6, titled, "Points of Interest Identified in the 1987 Dutchess County Windshield Survey." This should be re-titled because it is more than a "windshield survey." There are 253 green dots on the map making it rather unreadable. The map from the Historical Society is more readable and contains 273 markers. Cathy has a list of all the significant sites.
4. Update fig. 2-6 (increase readability and overlay on a road map) and include a list of significant sites. This could be done by volunteers, the Historical Society and by the Town Historian.
5. Recommend integrating the initiative that the Historical Society is taking to build support and traction for the historic markers ("Pomeroy Plaque") program. A concerted effort could identify a

route for a tour of historic sites in Town that would spur economic development while celebrating the rural history of Stanfordville. There is also state funding and grant money available for historic preservation.

Discussion

- Are there examples of nearby towns that have implemented something along these lines? Charlie mentioned the historic preservation efforts in Poughkeepsie. Nina mentioned local preservation commissions throughout the Hudson Valley that are addressing it with varying degrees of protection (historic overlays in specific districts, specific structures of local significance or a combination of mechanisms). The plan could recommend a better, more structured process for review of historical sites and include the recommendation of a Historic Resources Advisory Commission that functions similarly to the Conservation Advisory Commission.
- The map would be easier to read if sites were identified by category/type, perhaps color coded.
- Richard suggests laying it out the need for historic preservation as follows and avoiding language around regulations:
 - Principles
 - Recommendations related to process (how do we uphold these principles)
 - Maps (updated) and a full Inventory organized by category (would be in the appendices)
- The historic hamlet updates should go in the Comprehensive Plan and added to the Plan's maps.
- Initial groundwork can be laid as recommendations for the Town Board, in a way that corresponds with the depth of recommendations proposed for agricultural uses throughout town.
- The Comprehensive Plan speaks to voluntary historic preservation. The changes recommended today would require changes to the code.
- The Planning Board would be caught in the crosshairs of this process and would need a Town consensus on the matter, in addition to clear-cut guidance from the Town as to how the Planning Board should treat historic resources.
- There is concern that going too far into historic preservation without first developing a town-wide consensus might engender resistance to that subject, and in turn, to the Comprehensive Plan itself.
- Charlie and Cathy will send Nina and Madeleine supplemental materials for draft language that the CPRC can return to.

Review of Draft Chapters (after edits)

CHAPTER 1

Question on the "Right to Farm" presentation in the plan: Should the "right to farm" language be added to Goal 1 in Chapter 1 or remain in chapter 5? Is it a goal or an objective? It is structured as a strategy to support Goal 1 but it could also be included as an objective, and be introduced in the beginning of the plan. Gary proposed changing Objective 1.1 to read, "safeguard the town's rural agricultural character by protecting working farms and adopting more flexible regulations to encourage alternative farm-based businesses and designating the town as a *right to farm* community." Richard disagreed with changing this from a strategy to a goal. He feels that a goal is something you are constantly working

toward and the town either is a *right to farm* community or is not. Gary mentioned that the listed actions are all strategies in support of Goal 1.

James would like the committee to reassess the introduction and project overview and its layout once the rest of the plan has been drafted, to ensure that it upholds the principles the committee has been guided by.

Nina asked that CPRC members send descriptions of the locations for the photos included in the draft chapters. AKRF should be set on photographs moving forward.

Nina shared her screen with two options for map presentation: full spread map option compared to the existing single page map option. CPRC members prefer the full spread map option.

CHAPTER 5

Nina spoke to a comment that Richard submitted by email. The criteria for designation as a Critical Environmental Area (CEA) is determined by New York State and the language in the plan comes verbatim from the Department of Environmental Conservation's regulations. This origin should be clarified in the Comprehensive Plan.

Jeff asked about the designation for the Cold Spring aquifer, and it was determined that it is already in the Upper Wappingers CEA.

The current CEA map was shared on the screen. Gary brought attention to the Hudsonia study and its mapping of areas critical to protecting biodiversity. In some cases, the "Priority Conservation Areas" that Hudsonia mapped overlap with existing CEAs but also extend beyond current CEA designation. Some of that land is already in conservation easement. An example is the area surrounding the Millbrook School marsh. In addition, the Draft Plan includes a recommendation for a new CEA in the Shaw Pond area, which is currently under discussion for possible donation to the Winnakee Land Trust. In other cases, for example the Snake Hill CEA, the proposed expansion of the CEA would include land that is not currently under conservation easement. Gary's question: should the Comprehensive Plan include the recommendation to expand the existing CEAs to include the Priority Conservation Areas from Hudsonia's study, even though some are in current conservation easement?

Tom Angell pointed out the difference in enforcement. The Planning Board cannot enforce conservation easements but can, and does, play a role in protecting CEAs. Conservation easements are monitored by the organization that holds the easement.

James pointed out that CEA designation is in line with the goals and recommendations put forward throughout the plan. An application that goes to the Planning Board for a property located in a CEA would begin a conversation with the Planning Board members about the best strategies to employ in the project to protect the property owners' interests and the ecology of the CEA. For example, a recent project in the Upper Wappingers CEA applied for construction of a house next to the creek on the parcel. The Planning Board informed the applicants of the CEA designation and suggested that the house be moved further from the creek as a protection.

The concern in including all Hudsonia's recommended priority conservation areas by expanding existing CEAs, is that with other protections (such as scenic viewsheds, historical preservation), some residents may feel that the Town is over-regulated. Wendy agreed that there is an inherent "hot button" in the town as it relates to restrictions.

Richard clarified that designation as a CEA does not limit construction on the parcel, it simply ensures alignment with the common goal of protection of ecological resources.

Karen pointed out that there is a large amount of protected land in the community, but she noted the importance of these protections.

CPRC members felt that these CEAs help to keep the Town as it is, which is the interest of many community members.

The Hudsonia maps were prepared in 2004 and Nina offered that the CPRC could recommend revisiting the recommendations for Priority Conservation Areas, with or without Hudsonia. CPRC members were supportive of this recommendation. Nina cites a statistic in the study that "90 percent of the town is undeveloped" at the time. This is no longer the case. Gary points out that the maps are unlikely to change substantially because they are based primarily on geology, movement of water, and vegetation, rather than on ownership of the land.

Tom suggested that if the validity of the Hudsonia study is being called into question, then we should eliminate some of the references to them in Comprehensive Plan. Alternatively, Tom and Richard pointed out that if we believe the Hudsonia study valid, we should support its recommendations and should not undercut it, because it is used for guidance by the Planning Board. Tom also asked that the decision be made one way or another so that it is not left entirely to the discretion of the Planning Board.

Nina clarified that the Planning Board would still have guidance on existing CEAs and that the Comprehensive Plan would recommend that Priority Conservation Areas, identified by Hudsonia, be considered for designation as a CEA. The Conservation Advisory Committee would be responsible for carrying this recommendation forward, and the Town Board would consider it with the normal review and public hearing process. The Committee supported this recommendation.

The Comprehensive Plan recommends protecting the two remaining large blocks of forest but does not propose any specific actions or strategies. One of the blocks is currently in the Upper Wappinger CEA and needs no further protection. Gary suggests protecting the other through incentives for landowners such as purchase of development rights. Nina will add language that offers mechanisms for the Town to consider.

Although wetlands that are 12.4 acres or larger are regulated by NY State, smaller wetlands are currently unprotected. The Army Corps of Engineers maps the smaller wetlands, but it only has jurisdiction over navigable waters. Nina suggests adding an explanation on jurisdiction to accompany the Plan's recommendation for a Town wetlands ordinance.

Jeff Spiers asked about the applicability of scenic viewsheds from various vantage points. Gary clarified that there are two sets of recommendations, one on scenic viewsheds and the other on ridgeline

protection. The recommendations in the Draft Plan for scenic views encourage the Town to use landowner incentives to try to protect them.

Danielle offered feedback for the facilitation of Climate Smart Communities points:

- the language at the bottom of the agriculture section (page 12) is hinting at local food systems and she suggests calling it that specifically
- bullet point should be amended to “review the town zoning code for the following specific initiatives to promote the development of local food systems”

CHAPTER 6

Tom had one comment on Central Water and Sewer Feasibility. He suggests deleting the entire section. Gary had additional language for this section as well. Elsewhere it is recommended that there is designation and protection of a well head area. CPRC unanimously voted to delete the section.

Jeff pointed out that the pursuit of high-speed internet dovetails with the pursuit of better cell service in the town. Nina pointed out the cell tower regulation is in the hands of the FCC, not the Town, whereas with broadband providers there is Town leverage. Tom points out the community push back on cell towers.

Gary proposed the addition of a recommendation to reduce road salting to the minimum necessary for safety, because the groundwater study highlighted high chloride in private wells that were closer to roads. There is also increased contamination being monitored in waterbodies throughout the State. There is state and county-wide awareness and community initiatives that we can refer to for guidance around language. CPRC members were in support of this.

Richard asked if underground oil tanks were already prohibited. The tanks are only regulated if they are larger than 1,100 gallons. NYS does not regulate home heating oil tanks under that size. The US EPA reports that the average life span of those underground tanks is 18 years, and many tanks in Stanford are much older than that.

Final Remarks:

Meeting adjourned at 9:45 pm.

Next Committee meeting will be held on:

Tuesday, February 23, 2021

The public is invited to listen to these meetings by signing on through the following

Zoom link: <https://zoom.us/j/99284835503>

Meeting minutes submitted by:

Rosemarie Miner

CPRC Secretary