

TOWN OF STANFORD
PLANNING BOARD
MEETING OF 6-26-2013

PRESENT:

Robert R. Butts, Chair
Gerry Fernandez
James Fouts
Thomas Angell
John Royall
Conrad Levenson

ABSENT: Gary Lovett

ALSO PRESENT: David Clouser, Engineering consultant

Mr. Butts called the meeting to order at 7:35pm.

PUBLIC HEARINGS:

COLLINS MINOR SUBDIVISION -

Mr. Butts recused himself from review of the application and Mr. Royall assumed the role of Acting Chair. Ms. Collins presented the affidavit of publication of hearing notice for the minor two-lot subdivision at tax parcel number 6669-00-991408-00, published in the Poughkeepsie Journal on June 17, 2013, and return receipts for notices sent by certified mail. Mr. Royall opened the hearing, asking for public comment. No comment from the public received.

The Board reviewed the updated map, last revised on May 22, 2013 and received by the Planning Board on June 26, 2013. The Board reviewed an email dated June 20, 2013 from Mr. Mackey, attorney for Mr. Gundlach. Mr. Mackey requested that the Board keep the public hearing open until the July 31, 2013 meeting, thereby providing the public the opportunity to review a complete application prior to closing the public hearing. Mr. Angell confirmed with Ms. Turck that the Planning Board requires documents to be submitted two weeks prior to the meeting, and that the updated map was not received on time. Ms. Collins explained that she was waiting for confirmation from the County DPW that no further revisions were necessary prior to making additional copies for submission. Conceptual approval was received from DPW on June 26, 2013.

Mr. Angell moved to adjourn the public hearing to the July 31, 2013 meeting. Mr. Fouts seconded. Discussion: Larry McKeough commented that Ms. Collins published the notices for the public hearing as required and that Mr. Gundlach and his attorney had the opportunity to attend the public hearing but chose not to do so. He feels that Ms. Collins should be allowed to proceed with her application. Mr. Fernandez commented that the Board should consider not scheduling a public hearing prior to receipt of a complete application. Mr. Fouts commented that the intent was that Ms. Collins would have time to submit the updated map prior to the hearing, thereby saving the applicant from waiting an additional month before scheduling the hearing. All in favor: Mr. Angell, Mr. Fouts, Mr. Fernandez, Mr. Levenson. Opposed: Mr. Royall. Motion carried.

BUSINESS:

MILLBROOK SCHOOL DORM SITE PLAN AND SPECIAL USE PERMIT-

Mr. Casamento updated the Board on the progress of application. He noted that the Town Board has scheduled a public hearing on the moratorium waiver request for July 8, and will appear before the ZBA at the July 10 meeting. He noted that the ZBA has indicated that they will schedule a special meeting for the public hearing for variances prior to the July 31 Planning Board meeting.

Mr. Clouser reviewed his comment letter dated June 25, 2013. He noted that issues raised in his letter are in the process of being resolved and feels that the application is ready for SEQR review. Mr. Butts commented that the Town moratorium law (Local Law No. 5P of 2012) prohibits the Planning Board from taking action on an application prior to receipt of a moratorium waiver from the Town Board. He explained that he asked the Town Attorney if the Planning Board could grant a negative declaration under SEQR, contingent upon the applicant receiving a moratorium waiver from the Town Board. He noted that Mr. Bogle was of the opinion that the Board could grant approval if the contingency upon the waiver was explicit and that the applicant was in favor of doing so. Mr. Butts acknowledged it was an unusual circumstance and carried some risk. Mr. Angell asked if the applicant was agreeable to doing so. Mr. Casamento responded that the applicant is in favor of the contingent negative declaration. He asked that the Board reaffirm the Neg Dec at the July 31 meeting, after the moratorium waiver is granted by the Town Board.

The Board reviewed the negative declaration dated June 26, 2013. Amendments were made. Mr. Angell moved to adopt the negative declaration as amended. Mr. Fernandez seconded. All in favor: Unanimous. Motion carried. Mr. Angell moved to schedule a public hearing for July 31, 2013. Mr. Fouts seconded. All in favor: Unanimous. Motion carried.

Mr. Casamento confirmed with the Board that a combined mailing of the ZBA and Planning Board notices was acceptable. Mr. Butts commented that as long as the Board has proof of mailing, certified mailings may be combined.

COOK MINOR SUBDIVISION-

Mr. Horton presented the updated map, last revised March 27, 2013. He noted that the official Federal Wetlands Inventory only includes wetlands in the woodland area. Mr. Clouser reviewed the map and commented that the Hudsonia identified wetland appears to be incorrect due to the soil type and slope of the location. He noted that the Hudsonia wetland does not appear on the Federal Inventory and should not have been labeled as such without being field verified.

Mr. Fouts asked if there will be a 100 Ft. buffer around the wetlands. Mr. Clouser responded that there is no requirement, and if the applicant proposes to develop or disturb more than 1/10 acre, they will need a permit that is very hard to get. Mr. Butts added that there is not likely to be any development in that area.

Mr. Angell inquired what the intention is for the driveway. Mr. Cook explained that the intention is for a shared driveway. He expects to get approval from the County Highway Department in July, and will then prepare a shared driveway agreement.

Mr. Fouts reviewed part II of the short form EAF, concluding that the application will not have a significant adverse environmental impact and moved that a negative declaration be prepared. Mr. Angell seconded. All in favor: Unanimous. Motion carried. The Board noted that the applicant will need to submit an engineering report, County Highway driveway approval and a shared driveway agreement.

Mr. Butts asked if the applicant wished to schedule a hearing for July 31 and possibly be held open if the application is not yet complete by that time. The

applicant agreed. Mr. Angell moved to schedule a public hearing for July 31, 2013. Mr. Levenson seconded. All in favor: Unanimous. Motion carried.

STANFORD HISTORICAL SOCIETY PREAPPLICATION CONFERENCE-

Ms. Spiers explained that the Stanford Historical Society currently owns half of the Attlebury School House and would like to take ownership of the half owned by Ms. Blodgett. Mr. Butts asked if there were any time sensitive issues related to the application. Ms. Spiers replied there are, that the building is in disrepair with work needed on the roof, foundation and pest control. She stated that the Historical Society is anxious to start work on the building.

Ms. Spiers presented a map. Mr. Butts stated they will need variances from the ZBA. Mr. Fouts asked if they will need testing for septic feasibility. Ms. Spiers noted there is currently no water or electric in the building. Mr. Angell asked that the use of the building be clarified. Ms. Spiers stated that the Historical Society intends to use the building as an educational facility and that ownership will revert back to the original owners if not used as such.

Mr. Angell noted that the applicant will need to define where the lot lines will be and will need permission from Ms. Blodgett. He noted they will need to apply to the ZBA for variances, and believes they can apply to the ZBA concurrently with their application to the Planning Board.

OTHER BUSINESS:

APPROVAL OF MINUTES-

The Board reviewed the minutes of May 29, 2013. Mr. Fouts moved to approve as written. Mr. Fernandez seconded. All in favor: Mr. Butts, Mr. Royall, Mr. Fernandez, Mr. Fouts, Mr. Angell. Abstained: Mr. Levenson. Motion carried.

PLANNING BOARD WEBSITE-

Mr. Butts announced that the Planning Board website is up and running and that he has informed the Town Board of their success. He asked that Ms. Turck follow up on adding a link from the Town website to the Planning Board website, and in assuring that current minutes and agendas are being added to the Town website.

BANGALL WHALING CO. STOP WORK ORDER-

The Board acknowledged that the Building Inspector has issued a stop work order for Bangall Whaling Co, and that they are scheduled to appear in Justice Court.

Mr. Angell moved to adjourn the meeting at 9:07pm. Mr. Fernandez seconded. All in favor: Unanimous. Motion carried.

Submitted By: _____

Michelle Turck, Secretary

Approved By: _____

Robert Butts, Chair

APPROVED