

TOWN OF STANFORD
PLANNING BOARD MEETING
MINUTES FOR SEPTEMBER 30, 2020

PRESENT:

Thomas Angell
John Van Leuven
Patrick Hancock
Chris Flynn
James Fouts

ALSO PRESENT: Ryan Cornelison - Planning Board Engineer, Wendy Burton – Town Supervisor

Thomas Angell called to order the Planning Board Meeting at 7:31 pm in the Town Hall.

PRE-APPLICATION CONFERENCES:

SITE PLAN EXPANSION: COMO

Roosters 82, 6047 Route 82, Stanfordville, NY 12581 – Presenter: Jeff Como

Mr. Como presents a pre-application site plan to expand the Roosters 82 back stock room on the side adjacent to the parking lot on the left side of the building by extending and closing in the side porch area. They would be extending the 12 foot roof and porch by 12 feet, using a cement slab, and enclosing it for indoor use. Mr. Angell asks if this project had been discussed with the Building Department and Mr. Como responds that he was directed to the Planning Board from the Building Department. Mr. Angell asks if there are setback issues, Mr. Como is not aware of any, but he states that he is in contact with an engineer to create plans and would know the setbacks. Mr. Angell asks Mr. Cornelison if he knows about commercial setback requirements in the Rural Center, Mr. Cornelison will have to look it up and finds that Rural Center setbacks are 25 feet and Mr. Como has 48 feet. Mr. Angell asks if the previous title owners had a site plan for additions or expansions. Mr. Como has the original site plan. Mr. Angell brings up that since Walt Post built the building there have been numerous upgrades to the building. Mr. Angell wants to know if the site plan was amended for those changes, Mr. Como does not have the site plans with the additions. Mr. Angell asks the Planning Board members recommendations because the only jurisdiction they have is over the site plan. Mr. Fouts recommends that there are no amendments to the site plan it is just a roof extension, not adjusting the structure. Mr. Van Leuven does not see a problem and suggests he moves forward with the plan. Mr. Angell instructs Mr. Como to let the Building Department know that the Planning Board does not need anything from Mr. Como and that he can move forward with the Building Department. No members oppose the plan moving forward.

MINOR SUBDIVISION: DARLING SAND AND GRAVEL, INC

5699 Route 82, Stanfordville, NY 12581 – Presenter Brian Houston

Mr. Houston presents about the gravel pit, which is no longer in operation. They are looking to subdivide 57 acres into 3 lots, 23 acres, 26 acres, and 8 acres. The 8 acre lot has an existing

building office and Junior's diesel garage. They are proposing to have the subdivision serviced by a common driveway coming off of Route 82. Currently, the access is by Salt Point Turnpike, it is just a license, so they are looking to make a common driveway around the back. It will not affect the ponds or lots. 2 bigger lots will belong to JSK Darling Sand and Gravel, they will put their cattle out there, the property has an agriculture exemption, and the 8 acre lot will be purchased by Junior's. Mr. Fouts asks if they can get access to Route 82 since it is very steep. Mr. Houston states that they have done 2 foot aerial topographic of the site and preliminary grade plan, and there's only one section with a 12% grade that will be very short, and will meet common driveway specifications. Mr. Angell asks the proposed use of Lot 1B and 1C. Mr. Houston says right now nothing, one lot will have a barn and the other will be vacant. Mr. Angell clarifies if these would be lots for houses, Mr. Houston states that they could be, but this is a non-realty subdivision and the owners just intend to put a barn there. Mr. Angell asks why divide it into 2 lots, the owner says just in case they want to sell it. Mr. Angell asks Mr. Cornelison his thoughts, and Mr. Cornelison asks the current condition of the road between the ponds, Mr. Houston says it's good, that it supported all the big trucks and it's dry, and has a great base for a common driveway. Mr. Cornelison is concerned about expanding onto wetlands, he doesn't see any shown, so he would have to check. Mr. Van Leuven comments that the condition of the road is solid because he has been on it before. Mr. Houston says the only wetlands are way in the back. Mr. Angell asks about the current status of the septic for the garage. Mr. Houston says there is room for expansion. Mr. Angell asks if they will be expanding the septic, and Mr. Houston replies not at this time, it is a non-realty subdivision, it's more than 5 acres so it is not required by the Board of Health. Mr. Cornelison just wants to check that all the lots would be buildable. Mr. Fouts asks about Lot 1B running up against Town of Stanford property and would it affect the subdivision since it is bordering the property, the owner says no, and Mr. Fouts asks if composting business is still operational, the owner says minimal. Mr. Fouts asks if there is plenty of land for buildings not in the floodplain, Mr. Houston confirms yes. Mr. Angell asks about the topography compared to the land around it. Mr. Houston explains there is a ridge in the back that goes low and then high and has some flat spots. Mr. Angell asks if houses were to be built that would stick out. Mr. Houston says it is a long distance back from the road, and isn't sure you could build on the hilltop due to rocks. Mr. Fouts asks about fishing for the public on the bank. Mr. Houston believes the DEC has an easement to do that, 15-30 foot easement along the bank, Mr. Fouts would like if it could remain if the property is subdivided. Mr. Angell asks about a wooden tower, Mr. Houston does not know exactly what it is, it is owned by the neighbor – 15 foot tower but it's on the owner's property. Mr. Fouts asks if the property is still being mined, the owner says the property has been used, that is undesirable mining and mostly clay. Mr. Angell wants a note on the map saying there's no approval for building at this time for this subdivision. Mr. Fouts asks about any other restrictions, Mr. Houston responds with just the easement for the power lines. Mr. Cornelison asks the width of the driveway, Mr. Houston responds with 48 foot, that it is just for discussion, that code says it could be between 36 and 48 feet, individual driveways are 12 feet. Mr. Angell is concerned about state permission for grading of the new entrance because there is no entrance currently. Mr. Houston says there is a flat area and that the engineer is already working with the state on it. Mr. Angell suggests filing the application and working with Mr. Cornelison on any concerns. Mr. Fouts asks if the lots have at least 300 feet road frontage, Mr. Houston confirms yes. Mr. Hancock asks how long the Salt Point entrance will be used, the owner says until the new road is done. Mr. Fouts ask if the current road is just allowed for the gravel company, the owner and Mr. Houston explain there is

an issue with a lack of an easement from the neighbor that would allow them to use an existing driveway. Mr. Angell suggests to keep working with Mr. Cornelison and they will be on the agenda for the next meeting.

BUSINESS:

LOT LINE ALTERATION: BELLISSIMO

508 & 544 Willow Brook Rd, Clinton Corners, NY 12514 – Presenter Vincent Bellissimo
Mr. Bellissimo wants to shift 18 acres from the 43 acre lot with an existing house to the 40 acre vacant lot because if in the future he wants to sell the 25 acre with a house on it, he will still have 58.3 acres with the vacant lot. Mr. Fouts asks if the access is currently 50 feet wide, and Mr. Bellissimo confirms that is true. Mr. Fouts asks if he will be changing that at all, Mr. Bellissimo says no. Mr. Angell asks if it is one lot now, Mr. Bellissimo responds that they are each one lot, no rock walls or physical lines, it's clear space between the lots. Mr. Fouts clarifies the purpose is to just maintain acreage, and Mr. Bellissimo agrees. Mr. Hancock asks if you still have road access with the 58 acre lots, Mr. Bellissimo says yes, it's a 50 foot road access. Mr. Fouts asks if there is a house on the 40 acre lot, Mr. Bellissimo says no it is vacant. Mr. Angell asks where the septic is, Mr. Bellissimo says the septic is in front of the house, built in 1979-80. Mr. Fouts notices extra wells, Mr. Bellissimo clarifies that there was a double wide trailer on the property at one time. Mr. Fouts asks if there is a plan on file with the Town or County just to clarify that the septic can be expanded with the lot line change, that nothing is cut off with the lot line change. Mr. Fouts suggests that they check with the building inspector about the septic. The map with the septic will be needed to finalize the approval for the lot line change. Mr. Angell asks about layout of land, Mr. Bellissimo explains it's fairly open around the house, but most of it is wooded, and no easements on the property. Mr. Angell asks for a classification on this item. Mr. Fouts motions to classify this item as a minor subdivision, Mr. Van Leuven seconds the motion. All in favor, Mr. Angell, Mr. Hancock, Mr. Van Leuven, Mr. Flynn, Mr. Fouts. Mr. Angell states this is a Type II action, no SEQR review. A public hearing will be scheduled for the next meeting. Mr. Fouts motions to grant the public hearing, Mr. Hancock seconds the motion. All in favor, Mr. Angell, Mr. Hancock, Mr. Van Leuven, Mr. Flynn. Mr. Fouts. Motion carried.

SITE PLAN APPROVAL: COHEN

758 Hunns Lake Rd, Stanfordville, NY 12581 – Presenter Warren Cohen
Mr. Cohen presents the need to build a small efficiency apartment 524 square feet above the garage. The father is elderly who lives with him and needs a new space to live. Mr. Fouts asks about area variance since it's a change in the usage and 1.5 feet from the property line. Ms. Knickerbocker explains that she spoke with the building department and since it is an existing building and construction is upward, an area variance would not be needed. Mr. Cohen states that they will not be changing the footprint of the garage. Mr. Cornelison says since it falls under existing non-conforming buildings it may not need an area variance. Mr. Fouts asks if they plan on using the existing water supply, Mr. Cohen explains they will tap into the existing well. Mr. Fouts also asks about septic, Mr. Cohen has an engineer doing an evaluation for the need of a new septic or using an existing system. Mr. Hancock asks if down the road this apartment will be used for second income. Mr. Cohen states that it is just for his family, it will not be used to

generate income. Mr. Angell asks for the size of the lot, Mr. Hancock points out that it is 0.69 acres on the map plus the 0.35 next door, and the Cohen family has kept it as two separate properties, and does not see a need to combine them. Mr. Angell asks the combined acreage, Mr. Cohen says it is about 1.10 acres. Mr. Angell explains that the code for an accessory apartment, is the lot cannot be less than 1.50 acres. Mr. Angell suggests a covered breezeway between the garage and house to create one structure, it would be treated as an addition to the house. This change in plans would not require Planning Board approval and Mr. Cohen could speak with the Building Inspector to acquire a building permit. The lot has to be more than 1.50 acres to have an accessory apartment, and their properties combined are not large enough and there would be area variances required. Mr. Cohen will speak with the building department to move forward.

LOT LINE ALTERATION: COOK AND WILDER

North Side of Bangall Amenia Rd & West Side of Layton Rd, Stanfordville, NY 12581 –
Presenter Kirk Horton

Mr. Horton presents on behalf of Cook and Wilder. The lot line change would transfer 12.254 acres of wooded land from Cook to Wilder. This would leave Cook with 88.56 acres and Wilder 137.534 acres after the transfer. Mr. Fouts asks if the Cook property has a house on it, Mr. Horton says no, but the property is for sale. Mr. Fouts continues to ask about plans for septic, easements or covenants, Mr. Horton says no to each, except there may be a power line easement. Mr. Horton explains there is nothing on the 12 acres that is being transferred. Mr. Fouts motions to classify this application as lot line alteration, Mr. Van Leuven seconds. All in favor, Mr. Angell, Mr. Hancock, Mr. Van Leuven, Mr. Flynn. Mr. Fouts. Motion carried. Mr. Angell states that the application is a Type II action, no SEQR review. Mr. Hancock motions to schedule a public hearing, Mr. Van Leuven seconds. All in favor, Mr. Angell, Mr. Hancock, Mr. Van Leuven, Mr. Flynn. Mr. Fouts. Motion carried.

MAJOR SUBDIVISION: ROCKY REEF FARM, LLC

6906 Route 82, Stanfordville, NY 12581 – Presenter Ernie Martin, Spencer Hall

Mr. Martin and Mr. Hall present the application. The parcel is 216 acres on Route 82, it is currently accessed by a private farm lane that is part of the property. The intent of the applicant is to develop the property into 4 large lots, about 27 acres each and have 108 acres in a conservation easement. Mr. Martin goes on to explain that the access is currently through Aberdeen Lane that serves four existing houses, the applicant would like to extend the private road into the property and then the four new lots can be serviced by four separate new driveways on their own lots. Mr. Martin points out on the maps that there are some existing farm lanes and they are trying to use those first for the new driveways when they can. Mr. Fouts asks if they need four driveways, or maybe could they use only two, but Mr. Martin explains the applicant wants to keep all the driveways separate. Mr. Hancock asks the members of the Planning Board how many lots can be developed from a private road, he is answered with the limit being eight. Mr. Martin explains there are four lots already, and they are adding four, so they will be within the limit. Mr. Angell asks what the land is currently being used for, Mr. Martin responds that it is being used for agriculture. Eric, the farm manager, says the land is being used for a mixture of things, hay, corn, soy beans, he explains it is about 90 acres being used for agriculture on that parcel. Mr. Angell wants to know what can be done to preserve the agricultural land. Mr. Martin

explains that out of 216 acres they are only disturbing about 9 acres, and that includes the driveways. Mr. Angell asks if there is a way to move the house sites so less farm land is being used. Mr. Martin says the contours on the lots make parts of the land very steep to build on and the area they picked were chosen by four Blodgett siblings that will each have a parcel and then build on them. Mr. Angell asks to reconfigure the house sites within the lots so it doesn't use up as much farm land. Mr. Hall explains that they do not want to disturb the wooded area. Mr. Angell asks if they can build on the wooded lot versus the farming lot to help preserve more farmland as he would like to find a way to keep the farm lands usable. Mr. Flynn asks to clarify how much land is already being used for agriculture, he is answered with about 100 acres, to which Mr. Flynn responds is a lot of agricultural land already. Mr. Angell asks for clarification on what the land where the houses are being built is currently being used for, Eric comes to the maps and shows the members where in meadows they would be built. Mr. Martin says the wooded area is a steeper grade. Mr. Fouts suggests moving the homes to corners or along edges. Discussion among the Planning Board members and Mr. Martin and Mr. Hall continue about possible locations for the homes. Mr. Angell explains that the goal is to maintain as much of the agricultural land as possible. Mr. Hall and Mr. Martin rebuttal that the siblings are not going to want houses right next to each other on 25 acre lots. Mr. Hall explains that you can preserve the farm land on any subdivision but maybe in ten years the lot gets overgrown and it isn't being farmed. Mr. Fouts wants to know if the applicant is planning on cutting down trees or adjusting the property for views. Mr. Martin says the applicant likes the view of where the houses would be built. Mr. Cornelison brings up a code where the entrance road becomes a town road and then you can get rid of the common driveway requirement and save some space. Mr. Angell is worried about the road going right through good farmland. Eric reiterates that each house will take up less than an acre. Discussion continues about the location for homes. Mr. Hancock says that three out of four houses are okay, one of the houses may need to be moved to help the movement of farm equipment. Mr. Angell offers up a site visit and another opportunity to present the homes in a different location. Eric states he does not see the agricultural practice being affected. Mr. Flynn wants to clarify that there is no actual code for the location of the houses, that it is more of a wish list for us. Mr. Angell does not agree as he says the Board is tasked to preserve farmland and find a way to make it most useful. Mr. Hall does not believe the tree coverage is enough if the locations are moved closer to the road. Mr. Angell states that after discussion with Mr. Cornelison that this application will need to comply with major subdivisions procedures. Mr. Angell states that the Board would like to do a site visit to show why the houses must go where they are going. Mr. Martin would like to speak with the owners first. Mr. Angell suggests that the applicant can present a plan that is more in line with what the Board has discussed, or the Board can do a site visit. Mr. Flynn asks how much is being used for actual agriculture for Rocky Reef LLC, Eric says about 190 acres. Mr. Martin also points out that the driveways were designed for code. Mr. Cornelison is concerned about slopes on driveways 2 and 3, they may need to put landings. Mr. Cornelison explains that once the plans are set the Fire chief will need to be involved. Mr. Martin would like to speak with owners about how they would like to proceed. Mr. Hancock asks questions about access for farm equipment, Eric explains there are existing roads for the equipment. Board will wait to hear from Mr. Martin before the next meeting.

OTHER:

Mr. Fouts motioned to approve July 29 Meeting minutes with amendments made to correct Mr. Reno's name misspellings; Mr. Van Leuven seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Hancock, Mr. Van Leuven, Mr. Fouts.

ADJOURNMENT:

Mr. Hancock made a motion to adjourn the meeting; Mr. Van Leuven seconded the motion. All in favor, Mr. Angell, Mr. Flynn, Mr. Hancock, Mr. Van Leuven. Mr. Fouts.

The meeting was adjourned at 8:56 pm