

TOWN OF STANFORD  
PLANNING BOARD  
MEETING OF 7-31-2013

PRESENT:

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

ALSO PRESENT: David Clouser, Engineering consultant

Mr. Butts called the meeting to order at 7:38pm.

**PUBLIC HEARINGS:**

**COLLINS MINOR SUBDIVISION -**

Public hearing continued from June 26, 2013 meeting. Mr. Butts recused himself and Mr. Royall assumed the role of Acting Chair. Mr. Royall reopened the hearing, asking for public comment. No comment from the public received. Mr. Angell moved to close the public hearing. Mr. Levenson seconded. All in favor: Unanimous. Motion carried.

**COOK MINOR SUBDIVISION-**

Mr. Butts returned as Chair and opened the hearing on the two-lot subdivision of a 282.737 acre parcel (tax lot number 6869-00-010098) into a 73.445 acre parcel and a 209.292 acre parcel. Mr. Horton explained that he had emailed a copy of the affidavit of publication of hearing notice published on July 15, 2013 in the Poughkeepsie Journal to Ms. Turck and will remit the original affidavit as soon as possible. Mr. Butts asked if the public had interest in the application, but received no comment. Mr. Angell moved and Mr. Fernandez seconded to close the public hearing. All in favor: Unanimous. Motion carried.

**MILLBROOK SCHOOL DORM SITE PLAN AND SPECIAL USE PERMIT-**

Mr. Casamento presented the affidavit of publication of the hearing notice, published on July 15, 2013 in the Poughkeepsie Journal. He noted that the original

return receipts for mailing of notices are on file with the ZBA, as the notices for both Boards were mailed jointly. Ms. Turck had originals on hand from the ZBA file for verification. Mr. Butts asked if the public had any input on the application for construction of a new 9,028 square foot dormitory at 131 Millbrook School Road (tax map number 6967-00-385632). No comment received. Mr. Angell moved and Mr. Fernandez seconded to close the public hearing. All in favor: Unanimous. Motion carried.

**BUSINESS:**

MILLBROOK SCHOOL DORM SITE PLAN AND SPECIAL USE PERMIT-  
Mr. Clouser reviewed his comment letter dated July 23, 2013, explaining that the only outstanding issues to be addressed are that the applicant submit a copy of the SPDES permit and copy of the filed Notice of Intent from DEC. He suggested these items can be conditions of approval.

Mr. Angell confirmed that the Town Board granted a moratorium waiver and that the ZBA granted approval of variances for 2 ft. building height, 1.6 ft. setback encroachment for the building and a 38.6 ft. setback variance for encroachment of the parking area.

The Board reaffirmed the negative declaration that was granted on June 26, 2013. The Board reviewed the draft resolution of approval. The conditions noted by Mr. Clouser were added to the resolution. Mr. Angell moved to adopt the resolution of approval with the addition of the following conditions:

- Provision of an updated SPDES permit for wastewater effluent discharge issued by the NYSDEC.
- Provision of a filed Notice of Intent, as required under the Stormwater SPDES General Permit for stormwater discharge.

Mr. Fernandez seconded. A roll call vote was taken as follows:

|                     |     |
|---------------------|-----|
| Robert R. Butts -   | Aye |
| John Royall -       | Aye |
| Gerardo Fernandez - | Aye |
| James Fouts -       | Aye |
| Conrad Levenson -   | Aye |

Gary Lovett - Aye

Thomas Angell - Aye

All in favor: Unanimous. Motion carried.

#### COOK MINOR SUBDIVISION-

Mr. Horton noted that an enlarged section of the shared driveway has been added to the map. Mr. Butts informed the Board that he recently reviewed a shared driveway easement that was submitted by the applicant and had suggested that the applicant add several additional clauses or use a standard form of easement used by the Planning Board in the past. Mr. Butts agreed to send the standard easement form in Microsoft Word format.

Mr. Angell inquired whether the applicant has submitted an engineering report, to which Mr. Horton explained he expected the report to be done within a week or so. Mr. Angell asked if the applicant would like a conditional approval or would like to wait for all items to be submitted. Mr. Horton asked that conditional approval be granted. The Board discussed approvals and submissions necessary for approval.

Mr. Fernandez moved to grant approval of the minor subdivision with the following conditions: submission of a shared driveway agreement in a form acceptable to the Chairman of the Planning Board, submission of an engineers report that confirms septic feasibility, submission of a letter of approval from the County Highway Department with regard to the location of the driveway, and signing of the map by all necessary parties. Mr. Angell seconded. All in favor: Unanimous. Motion carried.

#### COLLINS MINOR SUBDIVISION-

Mr. Butts again recused himself. Ms. Turck confirmed receipt of an engineers report, and letters of approval of the proposed driveway plans from the Fire Department and Town Building Inspector. With no outstanding issues to address, Mr. Angell moved to approve the application for minor subdivision at 273 Cold Spring Road. Mr. Levenson seconded. All in favor: Unanimous. Motion carried. Ms. Collins confirmed that she will need to submit a Mylar and four copies of the final map for signature by the Chair.

#### BLODGETT LOT LINE ALTERATION-

Ms. Spiers explained that she has submitted an application along with a letter of consent from Ms. Blodgett. She noted that the ZBA has granted the following six variances: a depth variance of 300 feet, a front yard setback variance of 53.6 feet, a rear yard setback variance of 46.3 feet, a lot size variance of 4.51 acres, a lot width variance of 100 feet, and a road frontage variance of 82.6 feet for the purpose of deeding a portion of the Attlebury School House to the Stanford Historical Society at 6906 Route 82, Stanfordville, NY 12581.

Mr. Hall reviewed the submitted map with the Board. Mr. Butts noted that they will need to submit a shared driveway agreement, and that the Board will make a standard driveway agreement form available on the website for their use.

Mr. Angell inquired if a note will be added to the map that states that the approval is not for residential use. Ms. Spiers noted that it is expressly stated in the deed that the structure is to remain in educational use only. Mr. Butts indicated that a note should also be added to the map.

The Board reviewed part II of the short Environmental Assessment Form. Mr. Lovett stated that based upon review of the application and all relevant materials submitted, the proposed action will not result in a significant adverse environmental impact, and moved to adopt a negative declaration under SEQRA. Mr. Angell seconded. All in favor: Unanimous. Motion carried.

Mr. Angell moved to schedule a special meeting of the Planning Board for August 28, 2013 at the Town Hall at 7:30pm. Mr. Fernandez seconded. All in favor: Unanimous. Motion carried. Mr. Angell moved to schedule a public hearing on the Blodgett Lot Line Alteration application on August 28, 2013. Mr. Fernandez seconded. All in favor: Unanimous. Motion carried.

**OTHER BUSINESS:**

**CORRESPONDENCE- *BANGALL WHALING CO.***

The Board reviewed letters received from Mr. Shaw and Mr. Mackey regarding the construction of a parking lot behind Bangall Whaling Company. Mr. Butts noted that Mr. Smith has initiated a stop-work proceeding which will go before Justice Smith in August. Mr. Fernandez stated that the volume of information the Board was supplied with appears to inform them of issues that should be taken up with

the Town Board. He suggested they forward all correspondence to the Town Board for review.

Mr. Shaw commented that the Town Board was included in the correspondence with the exception of the July 23, 2013 letter, of which he will forward to the Board tomorrow. He noted that there was a special counsel report done on the issue of Bangall Whaling years ago, which was never released. He explained that he has copied the Planning Board on these issues as he hopes that other Boards in Town would encourage the Town Board to release that report.

Mr. Lovett asked what jurisdiction the Planning Board has to become involved in the matter. Mr. Butts explained that they have none, as there is no application before the Board. Mr. Lovett asked if Bangall Whaling Company is a non-conforming use. Mr. Fernandez replied that they cannot make that determination until an application is presented.

Mr. Angell moved to forward correspondence to the Town Board, indicating that it appears to be business that falls within Town Board jurisdiction. Mr. Fouts seconded. All in favor: Unanimous. Motion carried.

#### *CORRESPONDENCE- SUPERVISOR STERN*

The Board reviewed the Supervisor's request to recommend one Board member to be appointed to the Draft Master Plan Review Committee. Mr. Fernandez volunteered to sit on the Review Committee. The Board also discussed the possible merits of nominating Mr. Angell, who had been a member of the Master Plan Committee, to the Review Committee. Mr. Angell commented that he feels that Mr. Fernandez has an advantage of not having been involved in the Master Plan Committee, but that he is willing to serve on the Review Committee if the Planning Board wishes to nominate him.

Mr. Fernandez and Mr. Angell exited the room while the remainder of Board deliberated. The Board expressed that they value Mr. Fernandez' long history of service to the Town in planning matters and appreciate his willingness to volunteer for the position, yet the majority of the Board agreed that they would like to nominate Mr. Angell to serve on the new Committee in light of his knowledge and experience as a member of the Master Plan Committee.

Mr. Angell returned to the room. Mr. Fernandez had left for the remainder of the meeting. Mr. Butts agreed to send a letter to Supervisor Stern informing her of their nomination of Mr. Angell to the Review Committee.

Mr. Lovett moved to adjourn the meeting at 9:16pm. Mr. Angell seconded. All in favor: Unanimous. Motion carried.

Submitted By: \_\_\_\_\_

Michelle Turck, Secretary

Approved By: \_\_\_\_\_

Robert Butts, Chair

APPROVED