

Town of Stanford Planning Board Meeting

July 26, 2023

7:30 PM at Town Hall

Present: Thomas Angell (Chairman), Patrick Hancock, Brad Rolston, Chris Flynn, Will Moriarty, Corey Clanahan (Town Board Liaison)

Meeting begins at 7:30 PM

BUSINESS

CONTINUING APPLICATION MAJOR SUBDIVISION: ROCKY REEF FARM LLC: Ernie Martin

6909 Route 82, Stanfordville, NY 12581

Mr. Martin presented. Mr. Martin showed the members of the Board a map of the property. Mr. Martin explained that his client wanted to provide an update as things have changed a little since the application first started about 2 years ago and they know more about the property now. Mr. Martin said the application has not changed, it is still a conservation density subdivision with four lots and a property realignment with the property on the South owned by Helen Watson Blodgett. Mr. Martin said the subdivision will be served by a private road. He further explained that at one time it was going to be a private road, Aberdeen Lane, and then a common driveway, but now it will be a private road from Old Conklin Road for about 3,200 feet and will create a cul de sac at the end. Mr. Martin said the first 1,200 feet of the roadway will be gravel built to Town specifications, but will not be paved, and the grades are less than 6%. After the first 1,200 feet the road becomes steeper with some grades in the 8-10% range and that will be paved. Mr. Martin said the road will be owned by the four lots and maintained through a road maintenance agreement of those owners, and there will be no cost to the owners of the four existing lots that already access the road. Mr. Martin said there will be no change for the existing lot owners other than that the road will be more up-to-date and better maintained. Mr. Martin said they had met with the DEC regarding the culvert for the stream on the property and they were receptive to the location of the culvert, but it would require a permit because it is classified as a trout stream. Mr. Martin further explained that there are some wetlands that need to be delineated so they will need a permit for that as well. Mr. Martin said the culvert is designed for the 100 year storm and is a 4x12 box culvert and the bottom foot will be embedded into the ground. He further explained that the DEC would like a natural bottom, so when they put in the culvert they will use the material that was removed and put it back in the bottom. Mr. Martin said the water supply and sewage will be put into place as the lots are developed. Mr. Martin said Parcel 1 & 4 have had soil testing done and it good for a septic system and have starting designing. Mr. Angell asked if the other lots have been tested and Mr. Martin said they have not because the other two lots do not have building plans at this time. Mr. Angell requested Mr. Martin draft a letter explaining that they believe the soil will be acceptable for the water supply and sewage without testing at this time. Mr. Martin said each lot will need to get Health Department approval as they develop

each lot. Mr. Martin said that Mr. Weitz, the Planning Board engineer, reviewed the Short EAF that he had submitted and made some changes based on Mr. Weitz's comments on the form. Mr. Martin said he had also submitted responses to the comments from Mr. Weitz. Mr. Martin said he will add to the letter he submits that they had identified the house sites and walked the site with the Planning Board. Mr. Angell asked if anything had changed from what they discussed regarding the house sites or driveway profile and Mr. Martin said no. Mr. Martin said the owner had hired a private contractor to clear up the driveway areas and had Spence Hall survey the area and they were able to create good grades for the profile. Mr. Martin showed the profile for the driveway and explained that it is about the same grade for about 600 feet and then as you head down towards the stream there will be grading and filling near the box culvert. Mr. Martin further explained that as you head up the hill it is a grading of about 10% but follows the existing grade. Mr. Angell asked if fill will be coming in from off-site and Mr. Martin said they have not done that calculation yet. Mr. Martin presented the grading plan and explained there would not be too much digging, but on the side of the hill they will grade to create some drainage for the edge of the road and there will be a ditch so that water does not cross the road. Mr. Martin said the plans are much more complete than they were about a year or two ago. Mr. Martin explained the issues with the width of the private road. He said there is a portion that is 50 feet wide with a 42.5 foot cul de sac. Mr. Martin explained that there is also a portion accessing Rocky Reef Farm property of only 38 feet but said there is little to no change in the grading in that area, but may require a waiver. Mr. Angell asked for how long does the road continue to be less than 50 feet and Mr. Martin said about 10 feet. Mr. Martin said that his client had approached the adjacent property owner, Mr. Buck, but he was not receptive to transferring land to reach the 50 feet, but are still discussing this matter. Mr. Angell said if Mr. Weitz does not see an issue with it, he does not have an issue with it either. Mr. Angell had also spoke with Mr. Butts about the issue and he did not seem to have an issue with it either. Mr. Rolston asked if the existing lots would be part of the maintenance agreement and Mr. Martin said that they would not and that the new four Rocky Reef Farm lots would be maintaining the road. Mr. Moriarty asked if Aberdeen Lane would stay a private road and Mr. Martin said yes. Mr. Angell said once they have responded to all of Mr. Weitz's comments they can schedule a public hearing.

CONTINUING APPLICATION: MAJOR SUBDIVISION: BARADUS VILLAS, LLC: Ernie Martin

729-731 Cold Spring Rd, Stanfordville, NY 12581

Mr. Martin presented. Mr. Barriohet and his wife, Alex, were present as well. Mr. Martin put together a letter regarding the subdivision and went over the details of the project. Mr. Martin highlighted two things from the letter that have changed since Mr. Barriohet came to the Planning Board previously. The first thing was that the riding club would no longer be involved, but rather the focus would now be on the major subdivision. Mr. Martin said the sketch of the subdivision would be similar to the original submission. Mr. Martin explained that the property is a flag lot and the pole part is less than 50 feet. Mr. Angell asked how long the pole part is and Mr. Martin said it is about 500 feet. Mr. Angell asked what is on either side of the pole and Mr. Martin said it is wet. Mr. Angell also asked how much of the existing driveway occupies the pole

and Mr. Martin said it is about 12 feet wide, but varies through the pole. Mr. Angell asked what is on either side of the road currently, and Mr. Martin said mostly vegetation. Mr. Angell also asked if it slopes into the wetlands and Mr. Martin said it really does not, that it is mostly flat. Mr. Hancock asked if there are any culverts. Mr. Barriohet said yes, there are 3 culverts. Mr. Barriohet said they had upgraded the road and the main culvert is cement and around 4x4 or 5x5 feet and works well. Mr. Barriohet said the driveway is actually between 16 and 18 feet in width. Mr. Rolston asked if the road floods. Mr. Barriohet said it does not when the culverts are working. Mr. Barriohet explained that beavers had blocked a culvert and flooded the area, but an employee that worked the property for 12 years said he had never seen that happen before. Mr. Barriohet said even with the intense rain over the last month they have not had flooding issues now that the blocked culvert had been cleared. Mr. Barriohet also commented that they had raised the height of the driveway by two feet in areas that were affected by the beavers with permission from the DEC to do so. Mr. Martin addressed comments made by Mr. Weitz in his review of the original application. Mr. Martin said Mr. Weitz had asked if the flag lot was created before 2003, and it was. Mr. Martin further explained that the road frontage for the lot is about 32 feet after being surveyed and 21-28 feet in some places. Mr. Angell clarified that the code requires 50 feet. Mr. Martin asked if the Board would be able to provide a waiver for that or if they would need to find another way through the Zoning Board of Appeals. Mr. Angell asked if Mr. Martin has spoken with Mr. Weitz, and they have not touched base yet, but will. Mr. Angell said it is a little problematic because of the size of the subdivision and because they do not have the ability to delineate the wetlands since they do not own the property on either side. Mr. Angell mentioned that it could be a public safety issue with the amount of cars or trucks coming down a narrower road. Mr. Martin said an option they have considered is delineating the wetlands, but Mr. Flynn said everything on the right and left side of the driveway is not owned by the client. Mr. Angell reiterated that it seems like there are major issues but will consider any solutions they may have. Mr. Angell said the Planning Board has the authority to grant a waiver, but they will need to be convinced that safety issues will be addressed. Mr. Martin explained that Mr. Barriohet has approached neighbors and has made contact with them in order to find solutions. Mr. Angell also suggested a cluster subdivision. Mr. Barriohet said the intent is to leave the existing home and barn, and open land. Mr. Angell said the project resembles a cluster subdivision anyway. Mr. Martin said initially they did not have a topographical survey, but now they do. Mr. Hancock mentioned that if the property had pick up trucks coming and going at the same time the road is going to be pretty tight, and Mr. Martin explained that they would have to update the road as it stands now to get at least 22 feet in width in some areas. Mr. Angell and Mr. Martin agreed that the driveway issue would need to be resolved before they can continue with the rest of the subdivision components. Mr. Barriohet added that the entrance is flat with full visibility with low risk of being surprised by an incoming car and then after 500 feet it opens up. Mr. Barriohet also mentioned that he was shocked to find that the property did not have 77 feet of road frontage because the tax parcel map indicates that it does. Mr. Barriohet said there are 3 families involved that would like to raise their horses here and would like to do what it takes to make it work. Mr. Rolston asked if the neighbors were open to offering pieces of land, and Mr. Barriohet said the neighbors did not want to sell slices or switch slices of property at this time. Mrs. Barriohet said she serves on the New Paltz Town Board and is sensitive to the safety and design of cluster subdivisions.

PRE-APPLICATION CONFERENCE

SITE PLAN APPROVAL: Karen Bellone

1640 & 1658 Bulls Head Road, Stanfordville, NY 12581

Ms. Bellone presented. Ms. Bellone said her intention is to open a two bed home for the dying and start with one bed in the existing guest house on her property. Ms. Bellone explained that there are two houses on her property, one that is closer to Bulls Head Road which is the older building and the other, which couldn't be built today because it is only a 2.5 acre lot, would be the home for the dying. Ms. Bellone explained that she is part of a non-profit organization called the Seventh Sense and moved here four years ago with the intention of starting this project here. Ms. Bellone said it is a community-based initiative to provide comfort care for the dying, it is not hospice and is not medicalized, it is supposed to allow the patient to die at home. Ms. Bellone said her organization is part of the Omega Home Association, which is a national organization that encourages and mentors these types of programs. Ms. Bellone explained that in New York you are allowed to have two beds without a license and she said it is the same with Dutchess County. Mr. Angell asked if this would be a home business and if she owns the property or if the non-profit does. Ms. Bellone said that she owns the property, and she has a private practice as a end of life doula and educator. Mr. Flynn clarified that Ms. Bellone also owns the 10 acre lot as well, and she does. Ms. Bellone said she does not know the long term range of the project, but would like to start with one bed and see where it grows from there, that includes potentially having an education center and refuge for grieving families and loved ones. Mr. Rolston clarified that it wouldn't be a medical facility and Ms. Bellone explained that if a patient is on hospice, they can stay in the home and still have hospice come to them there. Mr. Rolston asked if the non-profit would occupy the guest house and Ms. Bellone said she is working with an attorney to set up the non-profit, but they are in the earliest stages and wanted to check in with the Planning Board to see what she could do with her property before she proceeds with the rest of the process. Mr. Angell asked if there would be a transfer of property to the non-profit or if it would simply be operating out of the land that she owns, and Ms. Bellone said it would most likely be that the non-profit would be operating from the land that she owns. Mr. Rolston clarified that in order to decide what she can do with the home they need to classify what she would be doing and how she would be doing it because the definitions of home operations vary. Ms. Bellone said the Building Department had told her that family care home was the definition she would fall under. Mr. Angell said he believes it would fall under Home Occupation under the Town Code. Mr. Hancock asked if she would be living in the house, Ms. Bellone clarified the dying individual would be in the one bedroom cottage and family members could come visit and stay there, and she would be occupy the primary main house until a time that she would give the primary residence up for another bed for the dying and then build on her other land. Ms. Bellone clarified that the 2.5 acre lot has two buildings on it, the guest cottage and primary residence, and the other 10 acre lot is vacant. Mr. Rolston explained that the issue, if she declares this a home occupation, she, the owner, would need to occupy at least one of the dwellings on the property. Mr. Angell said if Ms. Bellone wanted to go with a home occupation, she could apply for a special use permit. Mr. Angell offered another option of going to the Town Board to have them approve a new use for the property for family care home and find definitions of what that would be and have the Town Board add that to the code. Ms. Bellone asked the Board why she would

choose to go to the Town Board rather than do the home occupation and Mr. Angell said it would be so she could leave the lot at some point if she wanted to expand in the long term. Mr. Rolston explained that the issues are with her future plans, but if she planned to stay within the residence, that would be acceptable for a home occupation. Ms. Bellone clarified if she can build two dwellings on her 10 acre lot and the Board said she could have a guest cottage and a primary residence. Mr. Rolston asked if she would be charging anything to the non-profit, and Ms. Bellone clarified that she wouldn't be charging the residents anything, but families are welcome to make donations or pay it forward. Mr. Angell clarified that if she would like to apply for a special use permit there is a filing fee and requirements that are set forth in the code.

OTHER

Mr. Flynn motioned to approve the May 31, 2023 meeting minutes Mr. Moriarty seconded. All in favor, Mr. Angell, Mr. Rolston, Mr. Hancock, Mr. Flynn, Mr. Moriarty. Motion carried.

Mr. Flynn motioned to adjourn the meeting. Mr. Moriarty seconded. All in favor, Mr. Angell, Mr. Rolston, Mr. Hancock, Mr. Flynn, Mr. Moriarty. Motion carried.

Meeting adjourned at 8:36 PM.

Meeting recorded by Sara Knickerbocker