

Town of Stanford Planning Board Meeting

November 29, 2023

7:30 PM at Town Hall

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

Absent: Will Moriarty

Meeting begins at 7:31 PM

BUSINESS:

SITE USE APPROVAL: HOME OCCUPATION: BELLONE: Karen Bellone  
1640 & 1648 Bulls Head Rd, Stanfordville, NY 12581

Ms. Bellone presented. Ms. Bellone said that they have filled out the appropriate application materials and anticipate opening with one bed in 2024 under a home occupation special use permit. Mr. Angell asked Ms. Knickerbocker to provide the minutes from the July 26, 2023 meeting to refresh the Board on this application when Ms. Bellone was last presenting. Ms. Bellone provided architectural plans that she may or may not use moving forward. Mr. Angell read the portion of the minutes pertaining to Ms. Bellone's application. Mr. Angell said the minutes reflected that Ms. Bellone would have to apply for a special use permit for a Family Care Home, and that is what she had presented today. Mr. Hancock asked if she occupied the lot closest to Bulls Head and she wanted to adjoin the 10 acre lot to that parcel, are the pieces of land continuous, and Ms. Bellone replied yes. Ms. Bellone asked if the two homes on the 2.5 acre lot became homes for the dying, would she be able to move onto the 10 acre lot and keep those homes for the dying with the special use permit, or would she need a new permit. Mr. Rolston asked if the 10 acre lot had a house on it already. Ms. Bellone said no. Mr. Rolston explained that if she joined the lots there would three homes on the parcel and that is not permitted. Mr. Hancock asked what the difference is between hospice and what she is doing. Ms. Bellone explained that Hospice is essentially a mobile service that is provided to people that are 6 months or less to dying and medicalized, where a home for the dying is so the patient can essentially die at home and have hospice tend to them if they have that service. Ms. Bellone said it to provide comfort and to give families a less overwhelming experience and provide a service to the community. Mr. Rolston clarified that Ms. Bellone or the person running the home would have to reside on the lot with the home occupation if she wanted to expand into other lots. Mr. Flynn motioned to classify the application as a Special Use Permit for a Home Occupation for a family care home. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried. Mr. Rolston motioned to schedule a public hearing for January 31, 2024. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried.



MAJOR SUBDIVISION: COOK & BLODGETT: Ernie Martin  
6909 Route 82, Stanfordville, NY 12581

Mr. Martin presented. Mr. Quartararo also presented, he said he represents the applicant, he stated that he received the letter from Mr. Weitz today and the issue of the Home Owners Association had been resolved with Bob Butts and that there will be no Home Owners Association, rather there will be a maintenance agreement for the roadway. Mr. Quartararo said there are two parts in Mr. Weitz's letter, one that is engineer to engineer and another that are decisions that the Planning Board will have to make regarding waivers. Mr. Quartararo said that Mr. Martin has a list of six items he would like to discuss tonight and then Mr. Weitz and Mr. Martin can work together to finish the preliminary plat. Mr. Angell said that he had a discussion with Mr. Butts regarding the list of waivers, and that the Board should discuss them, but not formally approve any of them until the preliminary plat is submitted. Mr. Martin said he and Mr. Weitz had met to discuss the most recent submission along with past submissions and compiled a list of potential waivers from the Planning Board. Mr. Martin's letter dated November 28, 2023 titled "Items Requiring Planning Board Waivers" is on file. The first item that Mr. Martin discussed was the "section of proposed road less than 50' wide." Mr. Angell said that this item had been previously discussed and had a phone call with Mr. Martin. Mr. Martin said it was the general consensus from Mr. Weitz and Mr. Angell that even though there is a small section near the culvert that is only 38 feet wide, it should not be an issue because of the length. Mr. Martin then presented his second waiver request for "requirement for lot frontage." Mr. Martin explained that the Planning Board could waive the requirements for lot frontage on a public road and may permit the construction of private roads to lesser specifications than normally required for Town roads if the applicant meets 5 conditions tabulated under section 140-25D of the Town Code. Mr. Angell said that would be fine with him and other Board members agreed. Mr. Martin presented his third waiver request for the "road pavement requirement." Mr. Martin explained that the applicant intends to pave almost 60% of the road because of the steepness of the grade, the area that is less than 3% grading will remain gravel, however the Town Code in section 138-33 states "in the instance that more than 30% of a private road requires pavement, then the Planning Board shall consider requiring that the travelway surface be paved the entire length." Mr. Martin said it would be the Planning Board's discretion whether they require it to be fully paved. Mr. Weitz explained that this item is not necessarily a waiver, but would be helpful to include it if there are going to be other waivers addressed. Mr. Weitz emphasized that the portion that would not be paved is below 3% grade and would still meet the specification of a private road so it would be reasonable for it not to be paved. Mr. Hancock asked what improvements would be made to the existing Aberdeen Lane and if they would be infringing on the other properties. Mr. Martin said no, that they would be still be within that 50' right of way and the cul de sac was never really created, so for Town access and safety, they are going to make a proper there and one at the end of the road. Mr. Angell said that was fine with him. Mr. Martin reviewed the fourth waiver request "subdivision plat scale." Mr. Martin explained that the current plat is 1 inch to 200 feet scale and the map measures 3 feet by 3 feet already and he cannot file a map greater than 36 inches by 42 inches, but the Code requires a maximum of 1 inch to 100 feet scale. Mr. Weitz said it is somewhat of a trivial matter but would require a waiver. Mr. Weitz further explained that the 200 scale still shows the boundaries well and Mr. Martin chimed in that he will still be following the standards for filing the map with the County Clerk that it is legible and readable. Mr. Martin presented the fifth waiver, "open space requirement" and stated that the applicant will be putting over 100 acres in a conservation density, but 10% of the land has to be for recreational purposes, so Mr. Martin wanted to know if the land being deeded to the Dutchess Land Conservancy would suffice for this part of the code. Mr. Angell asked Mr.

Quartararo if he had spoke with Mr. Butts regarding this matter, and he had not. Mr. Angell recommended they do so. Mr. Martin presented the sixth waiver request, "road bond." Mr. Martin explained that it is a private road and the intention is to complete it to code. Mr. Weitz explained that the Code calls for bonds insurance for any major subdivision, but it could be interpreted as a need for infrastructures that are publicly dedicated because there is an interest for the Town for it to be completed and completed right. Mr. Weitz said the Code does not differentiate between privately owned or public owned or town dedication, but there always a potential threat that an uncompleted project could cause a downstream or offsite issue, but the Board can take in the entire application to decide if they could waive the bond component. Mr. Rolston asked if this a waiver, or just a decision that the Planning Board would need to make. Mr. Weitz said the Code says "the Planning Board should determine whether a performance bond must be posted by the applicant to ensure the proper completion of the private road, if so, how much the performance bond shall be and what form it should take." Mr. Weitz said arguably the Town does not have an interest in whether the road is completed, but rather in creating a down gradient or offsite disturbance, and sometimes when looking at performance bonds they look at the cost of the improvement, and in this case he does not think there would be a need for it, unless they are going to use it for a stabilization measure, but the size of the disturbance and likelihood of it causing a downgradient is probably slight, but that is why the bond is in there. Mr. Angell clarified that if the applicant is not selling the lots and keeping them for family, it would be in their best interest to complete the road. Mr. Angell said what would be the worse case scenario and Mr. Weitz explained that everything on the parcel is related to where the culvert crossing would be and that would flow under Route 82 and get to Wappingers Creek, so it could potentially impact the creek. Mr. Martin clarified that it crosses Conklin Hill Road. Mr. Weitz said he wanted to check on this item because on the final plat there is a list of all the documents that need to be submitted and that one section is up to Planning Board discretion. Mr. Flynn said he had no problem with it, and Mr. Rolston agreed that it does not seem to be the type of project that would fit that category. Mr. Martin presented the seventh waiver, "road lot." Mr. Martin said the four lots and the existing lots front on the right of way of the private road, the 3,200 by 50 foot wide strip is its own parcel by effect. Mr. Martin explained that the Code says the boundary of each lot served by a private road shall extend to the center line of the private road and be an easement, but the four lots would go to the right a way. Mr. Angell asked if Mr. Butts and Mr. Quartararo had discussed this, and Mr. Quartararo said that had not come up, and the agreement would be that the lot would not be a building lot, but a way to access the road. Mr. Angell said that Mr. Butts said in his memo that it would be appropriate for the Board to grant a waiver to make the road a separate parcel. Mr. Rolston asked if the lot changed hands how that would be handled. Mr. Quartararo explained that in the maintenance agreement it says that if any owner sells a lot the obligation to maintain the road is passed onto them. Mr. Angell said it seems like most of the list items have been handled with the exception of the open space requirement. Mr. Martin asked the Board would be able to schedule a public hearing. Mr. Angell explained that they would need a preliminary plat submitted first and the goal is to get through it as quickly as possible. Mr. Martin said that he thought scheduling a public hearing and having the public speak might allow them to make adjustments to the plat and help see things perhaps the Board did not think of previously. Mr. Weitz explained that the Code lays out a two step process, first with a preliminary plat approval that requires a public hearing, and then with any adjustments made they can submit a final plat that will have another public hearing. Mr. Weitz said he wanted to bring that to the Board's attention that there will have to be two public hearings for this application. Mr. Rolston asked if they should schedule a public hearing for the preliminary plat to start the process, but Mr. Angell said there is no preliminary plat completed at this time to

do so. Mr. Angell said as long as the engineers are working things out and the attorneys are working things out, they should be able to schedule a public hearing at the January meeting. Mr. Hancock asked if the lot in the conservation easement will be farmed or available to be farmed. Mrs. Blodgett said it used for agriculture and that is leased for farming. Mr. Cook explained that the lot is farmed and recently top-graded the previous farmer because he does not use any Round-Up or similar products. Mr. Cook said both he and Mrs. Blodgett grew up on farms and are engrained in the farming piece. Mr. Hancock said a lot of places had land use conservation plans and was wondering if they would be doing the same. Mrs. Blodgett said they are going to put 100 acres in land conservation and have had the farm for 38 years and have kept it in farming the entire time, and not planning to change that. Mr. Cook thanked the Board for their volunteer efforts and added that as a businessman there needs to be a cadence in submissions and response. Mr. Cook said that Mr. Weitz had done detailed work and was able to get comments back from the November submission within a ten day frame, but going back there were three weeks to four months where it was very difficult to get a response from the agencies involved with this project. Mr. Cook would like to establish more accountability. Mr. Angell said he had spoke with Mr. Butts on that subject today and that he did not want to see projects delayed due to a lack of response. Mr. Angell suggested to Mr. Cook that if the situation arises again to get in touch with him directly and he will address it. Mr. Cook suggested that Mr. Weitz and Mr. Martin should schedule a workshop. Mr. Cook said there have been intervals of unresponsiveness, and it is not fair to anyone in the community to go through weeks and months of delay. Mrs. Blodgett expressed concern the project is going to take so long that her kids that want to build on the lots are not going to be able to and go somewhere else. Mrs. Blodgett said she was frustrated because she loves this community and her kids, but it has been years of working hard with the Board to get the approvals. There were no further comments from the Board regarding the application at this time.

LOT LINE ALTERATION: HUGHES: John Hughes  
6257 Route 82, Stanfordville, NY 12581

Mr. Hughes presented. Mr. Hughes said he is trying to gift his son a third of acre so the son can have at least an acre on his parcel. Mr. Hughes would like to alter an lot line that is a natural stone wall on the Northern side of his existing property. Mr. Angell looked at the map with the other Board members. Mr. Angell asked if it was subdivided, and Mr. Hughes explained the existing lot is .3 acres and surrounded by another lot he owns, so he would be adding an acre to the .3 acres to make it about 1.3 acres. Mr Angell clarified that the lot is currently non-conforming and it would continue to be non-conforming because it is in five acre zoning. Mr. Flynn asked where the well and septic are, Mr. Hughes said it is on his lot and that the shop does not have a well and septic. Mr. Rolston asked if a lot line adjustment can be done on a non-conforming lot and Mr. Angell and Mr. Flynn chimed in to explain that he would be making the lot less non-conforming, but still non-conforming. Mr. Hughes explained that he would the surrounding properties would probably be sold eventually, and he did not want the son to get choked in by the new owners that are not family members. Mr. Weitz clarified it is a 2 lot line adjustment where one lot is conforming and one is non-conforming, and would be adding acreage to the non-conforming lot but not to the point of making it conforming. Mr. Weitz explained that the code says a non-conforming lot cannot be created and that it is up to interpretation if the lot line adjustment would be creating a new non-conforming lot. Mr. Angell and Mr. Flynn agreed that it would be making a non-conforming lot better. Mr. Flynn motioned

to classify the application as a minor subdivision lot line alteration. Mr. Rolston seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried. Mr. Flynn motioned to schedule a public hearing for December 27, 2023. Mr. Rolston seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried. Mr. Hughes asked if he would need an official survey done for the public hearing and Mr. Angell confirmed that he would need a proper official survey completed for the public hearing.

OTHER:

Mr. Rolston motioned to postpone the 4 Old Anson Way application to the December 27, 2023 meeting. Mr. Flynn seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried.

Mr. Hancock motioned to approve the meeting minutes from October 25, 2023. Mr. Rolston seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried.

Mr. Flynn motioned to adjourn the meeting. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried. Meeting was adjourned at 8:50 PM.

Meeting recorded by Sara Knickerbocker