

COMPREHENSIVE PLAN REVIEW COMMITTEE

PUBLIC HEARING

JUNE 28<sup>TH</sup>, 2021

The Comprehensive Plan Review Committee held a Public Hearing on the Draft Comprehensive Plan on June 28, 2021 at 7pm at the Stanford Town Hall.

Committee members present: Karen Mosher, Tom Angell, Richard Bell, Gary Lovett and Conrad Levenson.

Members absent: James Sansum and Jeff Spiers.

Gary Lovett, chair of the meeting, opened the meeting with the Pledge of Allegiance and explained that this was to be a Public Hearing for the Draft Comprehensive Plan. He thanked all in attendance for coming and went over the rules of the meeting, adding that the committee members would just be listening to comments and not have any detailed discussions, but would correct any misinformation.

A motion to open the Public Hearing was made by Conrad Levenson, seconded by Tom Angell. Motion carried with all in favor.

Lea McCauley, 200 Creamery Road – ceded her minutes to Mark Burdick.

Adrienne Zetterberg, 16 Bangall Amenia Road – ceded her minutes to Mark Burdick.

Rob Staskel, 16 Bangall Amenia Road - ceded his minutes to Mark Burdick.

Mike Shafer, 21 Decker Road – Congratulated the Town Board and the Comprehensive Plan Committee for their wonderful, caring work. This plan has taken way too long and looks like there is nothing to be afraid of.

Emily Hay, 391 Shuman Road – She and her husband were the founders of a non-profit group of farm owners trying to save their century farms, who will be holding a charity jazz and blues festival event on Aug. 21<sup>st</sup>, 250 people or less, with appropriate security and parking. She wanted to put any concerns to rest as it will in no way impact the public; if anyone had questions, reach out to her.

Ed Zick, 2739 Salt Point Tpke. - ceded his minutes to Mark Burdick.

Johanna Shafer, 21 Decker Road – Thanked the committee for their openness in hearing from the public. Many people have worked on this over the years and has heard from people that many are in favor of it, building up businesses to make our community better, and it needs to be passed as it's taken countless hours of work to get to here.

Henry Boehringer, 38 Thompson Lane – 1. A Master Plan will give guidance to future Planning Boards therefore needs to be specific in goals. 2. Stated that the Plan contains a reference to a Hudsonia overlay. He thinks this is not necessary, because the DEC does enough; said that Gary Lovett and Tom Angell have advocated a Hudsonia overlay in the past. 3. Stated that there must be transparency--

owners of properties with prime agricultural soils can't be surprised with what they can or can't do. Challenges have been brought to courts and courts have not upheld all towns' rules; certain legislation to be takings, and the Town Board needs to think about this. 4. Regarding the business section of Town, it should expand to the north on 82. Other Planning Board members have referred to the business center as a donut hole, and it is not; groundwater requirements could restrict that here with no water/sewer district; we don't want to become a donut hole. Restricting business to the center of Town without expanding the RC zone makes no sense. And no Hudsonia overlay.

Gary Lovett – There is no suggestion of a Hudsonia overlay in the draft Plan. Law requires Planning Board to look at all available information, including Hudsonia study of critical habitats.

Tom Angell – Some appellate division cases have established that habitat studies have to be looked at, like studies on Blanding's turtles, and reviewing these studies is required under SEQRA.

Mr. Boehringer – Property owners have rights and they shouldn't lose a lot of them.

Duffy Layton, 6 Hunns Lake Road – This should not be called a public hearing, it needs a larger venue. The Zoom meeting was not a public hearing either, just an informational session. Ceded his remaining minutes to Mark Burdick.

Gary Christensen, 226 Market Lane - ceded his minutes to Mark Burdick.

Nicole Juchem, 1 Sisters Hill – ceded her minutes to Mark Burdick.

Chris Juchem, 704 Hunns Lake Road – ceded his minutes to Mark Burdick.

John Hughes, Route 82 – ceded his minutes to Mark Burdick.

Mark Burdick, 19 Burdick Way- Presented a list of 52 individuals who gave him permission to speak on their behalf. Thanked the committee for their time working on this.

1. Pg. 9, section about adoption of zoning amendments and having a committee write appropriate zoning laws: After the Town Board adopts a Master Plan, but prior to the zoning amendments, the Planning Board will interpret the Comprehensive Plan for various applications. Disagrees with this. The Planning Board should not be making decisions based on the new Comprehensive Plan before a new zoning law is finalized. The Town Board is the legislative body and should be making the laws.

2. Pg. 11, #1,2: Previous Master Plan proposed a "village" behind McCarthy's with a developer building 600 housing units and a water/sewer district serving from Bangall to Grist Mill. Most people didn't want this, and it's not in the Plan. The Town's Water Supply Protection Plan stated that the groundwater was good at present, and continuing with wells and septic systems was OK in the Rural Center. This should be mentioned in the Plan. Proposes the following be added to the document: "A majority of the negative comments and the subsequent considerations to eliminate both the central water system and the sewer system, which are needed to have the planned development and the extension of the central water and sewer system to Stanfordville

and Bangall hamlets, were based on and reinforced by the fact that a Water Supply Protection Plan prepared for the Town in October 2000 came to the final conclusion that the groundwater quality in the Town of Stanford is relatively good, and that "...evidence at present indicates that continued use of individual wells and septic systems seems viable, even in the rural center, with a complete future build-out."

3. Chapter 6, pgs 118-120: Suggests that executive summary of the Water Protection Study should be put into the Plan on pp 118-120, regarding wellhead protection. The study states that the water quality is good but if density is increased, it may need to be looked at again.

4. Chapter 6, pgs. 67-69, regarding recommendation to focus new higher density growth in the two hamlets: Again, the water study indicated that if density is increased, we need to take another look at the water situation. He thinks we shouldn't increase density, because people overwhelmingly did not want central water or sewer. It needs to be clarified that if we increase density, then a water/sewer system may be needed.

5. Three months ago the committee recommended a commercial zone from Bangall to Grist Mill Lane. Thinks it should be extended from the Bank to Uncle Sonny's as the past draft of the Plan suggested, because of the difficulty for commercial properties in the RC zone to get Health Dept. approvals. At Big Rock Market, with 1½ acres, barely got Health Dept. approval. They require 100' separation between the well and the septic and 100' from the parking lot. Had to do a lot of work, including a \$15,000 water treatment system, and this is one of the largest lots in the RC zone; most are smaller. Extending the commercial zone to Sonny's would give more opportunities. Sonny's, the John Hughes auto shop, and the Carousel have been commercial for a long time. Says the whole strip up to Sonny's should be commercially zoned, but at the very least the 6 existing businesses in that strip should be commercially zoned. Those businesses are currently considered non-conforming pre-existing uses. Some people are concerned with "urban sprawl" but he does not think that is much of a concern.

6. Agricultural lands: Mr. Burdick explained conservation easements, and believes they are a good thing. Spoke of the Pulver family conservation easement behind the Mountain View restaurant in Pine Plains, and that Red Hook has a fund to purchase development rights for farms through transfer taxes. Stanford is 50 sq. miles, 32,000 acres, with 21,000 acres of farmland, 8,000 in conservation easements and another 2,000 acres in State and Town protection. So about 10,000 acres, or 30% of the land, is already protected. We have lots of open space, and no other town if the County has this much. This plan calls for more – how much more do we need? This Plan will require the Planning Board to review non-agricultural development on land with prime agricultural soils. The Board already does that—he cites the example of driveway not being allowed to be put through prime ag soils. He thinks the Town needs to purchase development rights, rather than regulate. We shouldn't tell Clarence Knapp to sell his farm only to someone who wants to farm.

7. Pgs. 14-21: Plan recommends focusing new development outside of ecologically sensitive areas, to prevent the loss of agriculturally significant soils. He thinks this needs to be clarified.

8. Pg. 23, under Industrial, for gravel mining: Plan says there is a single active mine. He reminded the Committee that JSK still has their permit to mine and another permit is attached to that mine. It's not active, but still has permit.

9. Natural Resources and Environment section: Plan recommends more environmental control. We already have DEC wetland laws, stream buffer laws, SEQRA, grading permits and erosion – we don't need additional layers of control. The Draft Plan proposes a CEA along the Wappingers Creek from the north to the south end of Town. Plan calls for new CEAs, scenic view areas, and ridgeline protection. Burdick's land is the whole ridge across from the Town Hall and that ridge would be the best place to build. If this is so important to the Town, they should purchase development rights. Should compensate people along the Wappingers Creek.

10. Businesses: Need to ease site planning for contractor needs. Many tradesmen in town need to be allowed to have their "contractor yards" – site planning and fencing are gray areas in the current zoning, but these people need to have a place to operate from their homes, not just in the center of Town. Cointractors are an important business in Town.

11. Toby Riccardelli asked him to mention speed limits in town. Route 82 from Cold Spring Road should be 40mph, at the bank then 30mph, then back to 40 after Grist Mill.

12. More wedding venues: Good in some circumstances, but site plans are required for noise, etc.

13. If you make changes in this Draft Plan, please red line them so they are easy to see.

14. In favor of loosening the accessory apartment requirements, and not just for family members.

15. The Plan talks about agri-tourism, but also think about general tourism. For instance, he is thinking about having tenting on his property.

16. He is in favor of Historical Resources recommendations. Big Rock is on the National Historic Register. But Bob Palumbo had to spend a lot of money to prove that his project would not affect the Big Rock building. Thinks this was wrong, and we need to be careful of excessive regulations.

17. He is in favor of better parking in the RC zone.

18. Solar energy and wind turbines: Not a lot of wind energy in town but with new technology, it could happen in the future. Should be allowed so we can get away from fossil fuels.

Tom Angell – not recommending changes in density, we're recommending the same density.

Mark Burdick – Check the wording.

Hans Tabor, 2 Trestle Lane – He has been here for 8 years and is running for the Town Council. He had read the proposal and had several question and comments:

1. What will the population be in 10 years? Do we need new housing? How much more?
2. How many new businesses do we want over the next 10 years? Do we want 30 more, 50 more along the new stretch? We'll look like Rt. 44. Doesn't want to see much more change. Bicycle paths, sewers, traffic lights, police? Will this increase traffic and accidents?
3. On pg. 8, working on large capital improvements. What are they? Will they increase taxes? Changes in resources brings increased taxes. On Pg. 9, the Plan says we like the town the way it is, but if it doesn't change, the town won't survive. He thinks it will survive.

4. Zoning and subdivisions, pgs.5-6: The Plan recommends goals of a broad array of housing options: for young people, for old, for low income. He thinks changes lead to more taxes.

Dorsey Waxter , 30 Thimble House Trail - ceded her time to Peter Kraus.

Charlie Shaw, 10 Millis Lane – Has been a resident since 1975. Handed out sheets with comments from the Burdick Park Planning Committee and the Stanford Historical Society to the committee. This is his 3<sup>rd</sup> review of this document in the last 10-12 years.

1. Burdick Park: Hudsonia has been commissioned to do a study of the Burdick Park for rare and endangered species. A similar study was done years ago when the County wanted to site their landfill here in 1987-1988 on three farms, 2 of which were the Staats Farm and the Cagney Farm. Hudsonia's study results showed Blanding's turtles, and the County backed off, and there were a lot of these turtles. He had two pair of Blanding's turtles and placed two in the Burdick Park area and two on the Lisman property. Now he wants to know if they're still there. p. 76, line 8: Change name from Dot Burdick Park to Burdick Park. Asks that the Bangall Memorial Park be listed on several pages (His specific comments are listed in his written comments.) Also consider the development of a walking trail from the Rec. Park and ultimately leading through Burdick Park to the Bangall Memorial Park. The Town should consider participating in the Certified Local Government program, which could give possible funding for the Burdick Park as well as to restore the Whitlock Preserve and the aforementioned walking trail, as well as the one at the Rec. He also thanked Mark Burdick for all his parents had done for the town.
2. From the Historical Society, he and Town Historian Kathie Spiers thanked the Committee for their prior revisions in Chapters 2 and 4 regarding historical hamlets and resources and added changes in the lists given out this evening. He requested that his written comments from the Feb 16 and 17<sup>th</sup> meeting be also included in this record. For example, the Historical Society has actually identified 15 historical hamlets in the Town. Tables 4-1 and 2-7—historical properties: Plan lists 12 properties, but the Historical Society uses a different database; they would like to add 18 more properties that are either listed or eligible for listing on historic register. They have submitted written comments. They proposed a Historical Preservation Commission, working as an independent commission to identify historic properties and define the borders of the historic hamlets. The Commission could have members from the Historical Society, the Town Historian, and other individuals. Should not include voting members from the CAC, the Planning Board or other Town organizations. This Committee would not be regulatory, only giving voluntary guidelines that could institute programs for the restoration and preservation of these historical properties, and in the demolition of any structures.

Beth Ledy, 419 Shelley Hill Road – ceded her time to Peter Kraus.

Larry Shapiro, 419 Shelley Hill Road – ceded his time to Peter Kraus.

Michael Rena, 461 Bangall Amenia Road – Emphasis on the historical side of the Town is extremely attractive, and economic viability comes from the charm of its buildings, farmlands, woodlands. There should not be excessive regulations, and some that are mentioned in the Plan are absurd. Things can be done to develop tourism and have even more charm, like what Big Rock has done.

Peter Kraus, 312 Bangall Amenia Road – Appreciates the comments of Michael and Mark, as the Town does resonate charm with its bucolic nature. Some in town want to augment income by the use of their land, but this must consider public health and safety. Event venues can be challenging economically for required infrastructure, e.g., fire, police, electricity. An idea to consider would be to permit events in a certain location. He proposes a piece of Town-owned land where events could be held, attracting people, and a focal point to lease or rent the space. It could be funded through taxes, and the Town could regulate the activity there and have oversight. Activity would be concentrated in one area and not encouraged everywhere. Don't allow event venues to be laissez faire. He complimented Mark Burdick on fine research, including the speed limit issue; thinks speed limits in Town should be lowered.

Jill Kraus – was going to give her time to Peter Kraus.

Stacey Adams – was going to give her time to Mark Burdick.

Steve Horowitz, 6187 Rt. 82 – He is also friends with Mark Burdick but didn't agree with him on everything. 1. He is not in favor of extending the RC zone north to Uncle Sonny's, because it would encourage sprawl. It is sensible to have reasonable growth and have it more concentrated; walking from one place to another keeps the present charm. 2. Existing non-conforming uses should be extended longer, for example 2 to 3 years. For instance, the Carousel, which has been vacant now for a couple of years. But this should not be an excuse for changing the zoning for that entire section of Town. 3. Regarding purchasing of development rights, he feels that this is an expensive and ill-advised way to achieve conservation. Paying for it will raise property taxes.

Emily Hay, 391 Shuman Road – She is living on a multi-generational farm. One central location for commercial activities is impractical. People should be able to use the land the way they want, following current laws, and not have to pay a fee to hold an event.

Clara Kemmerer – Pass, no comment.

John Kemmerer – An organization founded by Emily Hay will celebrate the 100<sup>th</sup> anniversary of their farm, and any comments can be addressed to her or to him.

With no other comments forthcoming, a motion to close the Public Hearing was made by Conrad Levenson, seconded by Tom Angell. Motion carried with all in favor.

Chair Gary Lovett said that the Committee will consider all the comments made and then make any relevant changes, then submit to the Town Board for another Public Hearing.

Meeting was adjourned at 8:34pm.

Respectfully submitted,

Ritamary Bell  
Secretary Pro Tem