

RESOLUTION NO. 4A OF 2025

TOWN OF STANFORD

INTRODUCTION OF LOCAL LAW NO. 4 FOR THE YEAR 2025

**A LOCAL LAW AMENDING CHAPTER 164 AND ADDING CHAPTER 126 TO
CODIFY THE RIGHT TO FARM AND THE ESTABLISHMENT OF A NEW
AGRICULTURAL OVERLAY ZONING DISTRICT**

At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 10th day of April, 2025, at 7:00 PM, Town Supervisor Wendy Burton called the meeting to order, and she, seconded by Councilperson _____, moved the following resolutions:

WHEREAS, the Town’s Zoning Commission made recommendations to the Town Board that the Town amend its Zoning Code in regard to codifying the right to farm and the establishment of a new Agricultural Overlay Zoning District; and

WHEREAS, a proposed Local Law has been prepared to amend the Town’s Zoning Code to provide for the right to farm and the establishment of a new Agricultural Overlay Zoning District, for introduction pursuant to New York State Municipal Home Rule Law section 20 and eventual adoption pursuant to Chapter 164, Article XI of the Town Code and Sections 264 and 265 of the New York State Town Law; and

WHEREAS, adoption of the proposed Local Law is a Type I action, pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and 6 NYCRR Part 617.4; and

WHEREAS, the proposed action will not require permits and approvals from any other local, regional and State agencies, other than the Town Board prior to adoption of the proposed Local Law and therefore a coordinated SEQRA review is not required; and

WHEREAS, the Dutchess County Department of Planning & Development is required to review the proposed zoning amendment pursuant to GML §239-m and this review is considered an advisory opinion under SEQRA and therefore the Dutchess County Department of Planning & Development is not an Involved Agency under SEQRA and therefore not eligible to serve as Lead Agency in this action; and

WHEREAS, pursuant to section 164-56 of the Town Code the proposed Local Law must be submitted to the Town Planning Board for a report and recommendation thereon, and this review is considered an advisory opinion under SEQRA and therefore the Planning Board is not an Involved Agency under SEQRA and therefore not eligible to serve as Lead Agency in this action;

NOW, THEREFORE, BE IT RESOLVED, that following proposed Local Law, as revised, is hereby introduced, to be known now as Proposed Local Law No. ____ of 2025, entitled “A Local Law Amending Chapter 164 and Adding Chapter 126 to Codify the Right to Farm and the Establishment of a New Agricultural Overlay Zoning District,” to read as follows:

BE IT ENACTED by the Town Board of the Town of Stanford as follows:

Section 1. Legislative Intent. The Town Board of the Town of Stanford hereby recognizes and declares the communal importance and pride associated with the local agricultural heritage. As proclaimed by George Washington, “Agriculture is the most healthful, most useful, and most noble employment of man.” The rich and beautiful farmlands of Stanford, New York generate viable economic benefits, fresh produce and commodities, environmental quality, and pastoral landscapes—thus defining the rural character of the Town. It shall be the policy of the Town to preserve, protect, promote, and expand upon current and prospective farming operations, while fostering a harmonious relationship between farmers and neighboring residents. Said relationship includes the understanding and acceptance of day-to-day associated agriculture practices. Doing so with the intention of limiting the circumstances in which farming may be deemed a nuisance and that farming be free of unreasonable and unwarranted interference. The Town Board recognizes that in exercising its power to enact local laws, ordinances, rules or regulations that apply to farm uses in a New York State certified Agricultural District (District 21), these laws are necessary to protect the public health and safety and are not intended to conflict with the purpose of New York State Department of Agriculture and Markets Law Article 25-AA, as the same may be amended at any time. The Town ensures that local laws are consistent with New York State Agriculture and Markets Law (Section 305-B) and New York State Town Law (Section 283-A), which requires an agricultural data statement for any application for a special use permit, site plan, use variance, or subdivision that occurs on property within an agricultural district or within 500 feet of a Farm Operation located in an agricultural district.

Section 2. Right to Farm. A new chapter “**Chapter 126 – Right to Farm**”, shall be added to the Zoning Law as follows:

Chapter 126 - Right to Farm

§ 126-1. Title.

This chapter shall be known as the “Right to Farm Law of the Town of Stanford.”

§ 126-2. Legislative Intent.

- A. The Town Board of the Town of Stanford hereby recognizes and declares the communal importance and pride associated with the local agricultural heritage. As proclaimed by George Washington, “Agriculture is the most healthful, most useful, and most noble employment of man.” The rich and beautiful farmlands of Stanford, New York generate viable economic benefits, fresh produce and commodities, environmental quality, and pastoral landscapes—thus defining the rural character of the Town.
- B. It shall be the policy of the Town to preserve, protect, promote, and expand upon current and prospective Farming Operations, while fostering a harmonious relationship between farmers and neighboring residents. Said relationship includes the understanding and acceptance of day-to-day associated agriculture practices. Doing so with the intention of limiting the circumstances in which farming may be deemed a nuisance and be free of unreasonable and unwarranted interference.
- C. The Town Board recognizes that in exercising its power to enact local laws, ordinances, rules or regulations that apply to farm uses in a New York State certified Agricultural District (District 21), these laws are necessary to protect the public health and safety and are not intended to conflict with the purpose of New York State Department of Agriculture and Markets Law Article 25-AA, as the same may be amended at any time.
- D. The Town ensures that local laws are consistent with New York State Agriculture and Markets Law (Section 305-B) and New York State Town Law (Section 283-A), which requires an agricultural data statement for any application for a special use permit, site plan, use variance, or subdivision that occurs on property within an agricultural district or within 500 feet of a Farm Operation located in an agricultural district.

126-3. Definitions.

As used in this chapter, the following terms shall have the meaning indicated:

- 1. **Agricultural Data Statement** - An identification of Farm Operations within an agricultural district located within 500 feet of the boundary of property upon which an action requiring municipal review and approval by the planning board, zoning board of appeals or town board pursuant to

article sixteen of the Town Law is proposed, including applications for special use permit, site plan approval, use variance, or subdivision approval, as provided in §305-A of the Agriculture and Markets Law. An Agricultural Data Statement shall include the following information: the name and address of the applicant; a description of the proposed project and its location; the name and address of any owner of land within the agricultural district, which land contains Farm Operations and is located within 500 feet of the boundary of the property upon which the project is proposed; and a Tax Map or other map showing the site of the proposed project relative to the location of Farm Operations identified in the Agricultural Data Statement.

2. Agricultural District - A parcel of land which has received such designation under the requirements of agricultural district legislation of New York, Article 25-AA, Agricultural Districts, of the New York Agriculture and Markets Law.
3. Agricultural Practices - The necessary activities for a Farm Operation to produce and market products and commodities for profit or personal usage and consumption. Said practices include, but are not limited to, collection, transportation, storage, and land application of animal wastes; operation, transportation, and storage of farm equipment; crop production methods of tilling, harvesting, cultivating, and irrigating; the proper use of pest and disease management in accordance with local, state, and federal law with respect to legally permitted fertilizers, pesticides, and herbicides; and the construction and the subsequent use of Agricultural Structures for Agricultural Purposes in compliance with state and local building codes.
4. Agricultural Product - Those products as defined in § 301(2) of Article 25-AA of the New York Agriculture and Markets Law.
5. Agricultural Structure –
 - a) A structure designed and constructed—as permitted on parcels within an Agricultural District—to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation but used in the raising, growing, processing, and storage of Agricultural Products by a farmer engaged in a Farm Operation, including but not limited to barns, sheds, poultry houses and other buildings and equipment on the premises used directly and solely for agricultural purposes.
 - b) Built in compliance with the Bulk Area requirements set forth in Chapter 164 of this Code.

- c) Alternative energy structures including solar panels and wind mills as long as they are primarily used to provide energy for the Farm Operation.
- 6. Farm Operation - The use of land, on-farm buildings, equipment, manure storage, processing and handling facilities, housing, and practices which contribute to the production, preparation, storage and marketing of crops, livestock, livestock products and sale of agricultural commodities as a commercial enterprise. Activities include but are not limited to the raising, production, and marketing of caged-type poultry, crop farming, dairy farming, Farmers' Markets, livestock feed and/or sales lots, livestock operations, nursery and horticultural operations—including Christmas tree farms, and pig and fur farms.
- 7. Farmer - Any person, organization, entity, association, partnership, limited liability company, or corporation engaged in the business of agriculture, whether for profit or otherwise, including the cultivation of land, the raising of crops, or the raising of livestock.
- 8. Farmers' Market - The use of temporary or portable accessory structures on a parcel of land used as a principal or accessory use by two or more producers for the direct sale of farm produce and farm products to the public, as permitted by § 164-8 and 164-19.4 of this Code. If the use involves the construction or use of permanent structures or other improvements, including paving or signage, the use shall be classified as "outdoor retail" or other use and subject to the provisions of this Code applicable to such use.
- 9. Roadside Stand - A structure where products grown on the premises or elsewhere may be sold to and purchased by the public.
- 10. Sound Agricultural Practice - Any agricultural practice conducted or maintained in a manner consistent with management practices such as those recommended by state and federal agencies as understood, utilized, and adopted by the local agricultural community, herein and hereafter referred to as "accepted customs and standards."

§ 126-4. Right-to-Farm Declaration.

- A. Farmers, as well as those employed, retained, or otherwise authorized to act on behalf of Farmers, may lawfully engage in Agricultural Practices on property enrolled within a state-certified Agricultural District within the Town of Stanford at all such times and locations as are reasonably and necessary to carry on a Farm Operation. In determining the reasonableness of the time, place, and methodology, due weight and consideration shall be given to both traditional customs, procedures, Sound Agricultural Practices, and advances resulting from increased knowledge and improved technologies.

- B. Agricultural practices shall not be found to be a public or private nuisance if such Agricultural Practices are:
1. Conducted on property enrolled in a state-certified Agricultural District;
 2. Conducted in a reasonable and necessary to the particular Farm Operation;
 - a) The time, place, methodology, and traditional customs and procedures in the farming industry and advances resulting from increased knowledge, research, and improved technologies shall be considered when determining the reasonability and necessity;
 3. Conducted in conformity with generally accepted and Sound Agricultural Practices;
 4. Conducted in conformity with all local, state, and federal laws and regulations;
 5. Conducted in a manner which is not negligent or reckless;
 6. Conducted in a manner which does not constitute a threat to public health and safety or cause injury to any person; or
 7. Conducted in a manner which does not unreasonably obstruct the free passage or use of navigable water or public roadways.
- C. Nothing in this article shall be construed to prohibit an aggrieved party from recovering from damages for bodily injury or wrongful death due to a failure to follow Sound Agricultural Practices, as outlined in this section.

§ 126-5. Agricultural District Established.

In the best interest of promoting and protecting agriculture in the Town of Stanford an overlay Agricultural Overlay District (AOD herein and hereafter) is established. The key purpose of the Agricultural District is to conserve land for agricultural practices, benefiting Farmers and owners of farmland by providing the framework to limit unreasonable local regulation of accepted agricultural practices. All parcels that are both within the Town of Stanford and within Dutchess County Agricultural District 21, as designated pursuant to New York State Agriculture and Markets Law Article 25-AA, adopted by the County of Dutchess and certified by the state (or such subsequent district as the County of Dutchess establishes), shall be grouped into the local Agricultural Overlay District (AOD).

§ 126-6. Agricultural Overlay District Zoning Exemption.

The following shall apply to any Farm Operation within the Agricultural Overlay District (AOD):

1. Agricultural structures shall not be subject to the height limitations of this Zoning Law. Bulk area requirements must be met. See §126-3 “Agricultural Structure” of this Code.
2. Site plans, and special use permits are not required prior to the construction of Agricultural Structures. If an Agricultural Structure is greater than 10,000 square feet in size, a special use permit issued by the Planning Board and site plan will be required.
3. A primary residence is a permitted use on any Farm Operation. The residence will require a building permit and must meet all applicable state and local building code and bulk area requirements. The payment of associate permitting fees shall be borne by the residence.
4. Housing for farm employees is subject to issuance of a special use permit. See §164-22(L) of this Code. In order to further protect and promote agriculture, Farm Operations in existence on the effective date of this chapter shall be deemed a special permit use within any zoning district in which said use is located pursuant to Section 164-8 of this Code.
5. In order to further protect and promote agriculture, a Farm Operation in existence on the effective date of this chapter shall be deemed a permitted use within any zoning district in which said use is located.

§ 126-7. Agricultural Advisory Committee.

The Town Board shall create an Agricultural Advisory Committee (AAC) with the purpose of advising the Town on any and all agricultural matters. The Committee shall be composed of five town resident members, including three agriculture business owners, one nonagricultural residential owner, and one member of the Planning Board of the Town of Stanford.

§ 126-8. Resolution of disputes.

- A. Should any agriculturally related controversy arise, which cannot be settled by direct negotiation between the parties involved, the controversy may be submitted to the Town of Stanford Agricultural Advisory Committee (AAC) in an attempt to resolve such matter prior to or, if desired, alternatively, to filing of any court action or request for a determination by the Commissioner of Agriculture and Markets about whether the Agricultural Practice is sound pursuant to Article 25-AA, Section 308 of the New York State Agriculture and Markets Law.
- B. Any controversy submitted to the Agricultural Advisory Committee (AAC), whose decision shall be advisory only, shall be submitted within thirty (30) days

of the date of the occurrence of the particular activity giving rise to the controversy or the date the party became aware of the occurrence.

- C. Upon necessary investigation of facts and full presentation and discussion of all pertinent information concerning the dispute from both parties—the committee must hold a meeting within 14 days of the matter to discuss the decision. Further, the committee shall, within 10 days of the meeting, render a written decision to both parties and the Town Clerk.
- D. The time limits provided in this section for action by the Committee process shall be extended upon a written agreement of all parties involved in the dispute.
- E. The decision of the Agricultural Advisory Committee (AAC) shall not be binding. If a party is not satisfied with the Committee’s decision, said party may submit the matter to the Town Board according to the procedures set forth.
 - 1. The controversy between the parties shall be submitted to the Town Board upon written request of either party.
 - 2. The Town Board shall review the controversy with a report from the proceedings of the Agricultural Advisory Committee (AAC). Within 30 days of the written request, the Town Board shall render a written decision to the parties.
- F. The decision of the Town Board shall not be binding.
- G. To encourage the use of this mechanism to resolve disputes, the parties requesting to utilize this dispute resolution process shall stipulate, in writing, that the statements made during the process shall be deemed to be in the nature of settlement discussions and that such statements and any agreement reached as part of the dispute resolution process shall not be used for evidentiary purposes in any other action or proceeding.

§ 126-9. Notification of real property buyers.

- A. The prospective grantor shall comply with Article 25-AA, § 310, of the New York State Agriculture and Markets Law, which requires that a disclosure notice be provided to the prospective grantee of real property located partially or wholly within state recognized Agricultural District.
- B. When any purchase and sale contract is presented for sale, purchase, or exchange of real property located within 500 feet of the closest boundary line of another real property within the Agricultural Overlay District on which any Farm Operation is conducted, the prospective grantor shall present to the prospective grantee a disclosure notice at the time of entering a contract for such property transfer and the prospective grantee shall acknowledge receipt thereof, stating the following:

“The purchaser hereby acknowledges notice that Farm Operations are prevalent in the Town of Stanford and that there are presently or in the future farm uses adjacent or in close proximity to the described premises. It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an Agricultural District and that farming activities occur within the District. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors. The grantee acknowledges that Farmers have the right to undertake agriculture practices and potentially introduce the generation of noise, dust, odors, and temporary traffic inconveniences. Said practices are permitted under the Town of Stanford Right to Farm Law. Prospective residents are also informed that the location of property within an Agricultural District may impact the ability to access water and/or sewer services for such property under certain circumstances. Prospective purchasers are urged to contact the New York State Department of Agriculture and Markets to obtain additional information or clarification regarding their rights and obligations under article 25-AA of the Agriculture and Markets Law. The purchaser acknowledges the presence of such activities and should expect and accept such conditions as normal and necessary aspects of the rural heritage of the area.”

§ 126-10. Agricultural Data Statement.

In accordance with Section 283-A of the New York State Town Law and Section 305-A of the Agricultural and Markets Law, the Town of Stanford will use this data in this statement to assist in evaluating the impacts of proposed development projects on Farm Operations in Agricultural Use Districts.

- A. Any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval by the Town Board, Planning Board, or Zoning Board of Appeals that would occur on property within an Agricultural District or on a property with boundaries within five hundred (500) feet of the parcel lines of a Farm Operation located in the Agricultural Overlay District, shall include an Agricultural Data Statement. Said board shall evaluate and consider the Agricultural Data Statement in its review of possible impacts of the proposed project upon the functioning of Farm Operations within such Agricultural Overlay District.
- B. Upon the receipt of such application by the Planning Board, Zoning Board of Appeals, or Town Board, the clerk of such board shall mail written notice of such application to the owners of land as identified by the application in the Agricultural Data Statement. Such notice shall include a description of the proposed project and its location. The cost of mailing said notice shall be borne by the applicant.

- C. The clerk of the Town Board, Planning Board, or Zoning Board of Appeals shall include such Agricultural Data Statement with any referrals to the county planning board or agency or regional planning council pursuant to Section 239-l and 239-m of the New York State General Municipal Law.

§ 126-11. Agriculture Disclosure Statement.

Required disclosure. In the case of any proposed subdivision application that abuts agricultural uses, the Planning Board shall require the applicant to issue a disclosure to potential purchasers of lots or dwelling units as follows:

"This property adjoins land used for agricultural purposes. Farmers have the right to apply approved chemical and organic fertilizers, pesticides, and herbicides, and to engage in farm practices which may generate dust, odor, smoke, noise and vibration."

This disclosure shall be required as a note on a subdivision plat and may also be required to be made through other means reasonably calculated to inform a prospective purchaser, such as by posting, distribution of handbills, or letter of notification.

§ 126-12. Agricultural District Buffer Zones.

Wherever Farm Operations and other uses unrelated to the Farm Operations abut, the applicant for the nonagricultural use shall provide a buffer strip to reduce the exposure of these abutting uses to odors, noise, and other potential nuisances associated with the Farm Operation. Such buffers may consist of vegetative screening, woodlands, vegetated berms, fences, or natural topographic features, at the discretion of the Planning Board or Building Inspector, as the case may be. The buffer strip shall be no less than 50 feet in width. It shall be the responsibility of the applicant, subject to approval by the Planning Board or Building Inspector, to provide an effective buffer.

§126-13. Right-to-Farm Sign.

At selective locations on the Town borders signs shall be posted stating that the Town of Stanford is a Right-to-Farm community.

Such signs shall be posted on the Town line on Bulls Head Rd, Bangall Amenias Rd, and Route 82 North and South, for a total four (4) signs collectively.

The sign shall appear substantively as follows:



§ 126-14. Additional Zoning District Exemptions.

- A. Youth Education, 4-H and FFA Members. Animal husbandry projects shall be permitted as of right for any registered participant in a 4-H or FFA program in all zoning districts.
- B. Chickens and Guinea Hens, but specifically excluding Roosters, shall be permitted as an accessory to a permitted residential use in all zoning districts. The number of Chickens and Guinea Hens will be limited to 12 birds per parcel. The Town of Stanford does not consider such poultry to be a commercial Farm Operation.

Section 3. Zoning Districts Established. §164-4 – **Zoning Districts Established** shall be modified to read as follows:

For the purpose of this chapter, the Town of Stanford hereby establishes and divides the Town into the first five zoning districts listed below plus one overlay district, i.e. the Agricultural Overlay District.

Conservation Residential District	CR
Agricultural Residential District	AR
Rural Residential District	RR
Rural Central District	RC
Lake Recreation District	LR
Agricultural Overlay District	AOD

Section 4. District Schedule of Use Regulations. §164-8 – **District Schedule of Use Regulations, Subsection (E)**, shall be modified to read as follows:

The District Schedule of Use Regulations shall be as follows:

TOWN OF STANFORD DISTRICT SCHEDULE OF USE REGULATIONS						
	Zoning District					
Type of Structure or Land Use	CR	AR	RR	RC	LR	AOD

Accessory Dwelling Unit in accordance with §164-19.5	P [†]	P [†]	P [†]	P [†]	P [†]	P [†]
All uses existing in mapped wetlands and floodplains	To the extent permitted in all zoning districts by Chapters 100 and 103, respectively, of the Code of the Town of Stanford					
*Animal hospital	X	SP	SP	SP	X	SP
*Auditorium or theater	X	X	X	SP	X	X
*Bed-and-breakfast establishment	X	SP	SP	SP	SP	SP
*Boat moorage or fishing establishment, including incidental commercial or service activities	X	X	X	X	SP	X
*Church, synagogue or other house of worship	X	SP	SP	SP	SP	SP
*Commercial or other industrial activity directly serving Farm Operations	X	X	SP	X	X	SP
*Convenience store	X	X	X	SP	X	X
*Dog kennels, harboring more than 5 dogs	SP	SP	SP	X	X	SP
Duplex, 2-family	X	P	P	P	X	P
Dwelling lawfully existing at time of adoption of this chapter	P	P	P	P	P	P
*Elementary and secondary schools	X	SP	SP	SP	X	SP
Farmers' Markets	X	P****	X	P****	X	P****
Farm Operation in accordance with §126-3	X	X	X	X	X	P
*Gasoline station	X	X	X	SP	X	X
*General repair shops	X	X	X	SP	X	X
*Golf course	X	SP	SP	SP	X	SP
Guest cottage on residential premises	SP	SP	SP	SP	SP	SP
Home occupations, excluding kennels	SP	SP	SP	SP	SP	SP
Home professional office	P	P	P	P	P	P

Horses (minimum 1 acre)	P	P	P***	P***	P***	P***
Housing for farm employees	SP	SP	SP	X	X	SP
*Human interment or cemetery	X	X	X	SP	X	X
*Junkyards (as permitted by local law)	X	SP	SP	X	X	SP
*Library or museum	X	SP	SP	SP	X	SP
*Light industry (excluding mining)	X	SP	SP	SP	X	SP
Logging or timber harvesting	LP	LP	LP	LP	LP	LP
*Medical and/or dental clinic	X	X	X	SP	X	X
Mining	X	P	X	X	X	P
*Miscellaneous manufacturing, small	X	SP	SP	SP	X	SP
Mobile homes	As permitted in all zoning districts by Chapter 151 of the Code of the Town of Stanford					
*Motor vehicle repair shop	X	X	X	SP	X	X
Multiple dwellings	X	X	X	SP	X	SP
Office or service establishment	X	X	X	SP	X	X
Outdoor retail	X	SP	SP	SP	X	SP
Public utility structures	X	X	SP	X	X	X
Radio and television towers and antennas more than 35 feet in height	SP	SP	SP	SP	SP	SP
Resort and recreation areas	X	SP	SP	X	X	SP
Retail store	X	X	X	SP	X	X
Roadside stand for farm products	P	P	P	P	P	P
Self-storage facility	X	X	X	SP	X	X
Single-family detached home	P	P	P	P	P	P
*Tavern or restaurant	X	X	X	SP	X	X
*Telecommunications towers more than 35 feet in height	X	SP	SP**	X	X	SP**
*Town park	P	P	P	P	P	P

NOTES:

- * Site plan review and approval required in accordance with the procedure and requirements established within Article VII of this chapter.
- ** The elevation of the top of any tower located on any of the following four hills, Pugsley Hill, Carpenter Hill, Conklin Hill and Attlebury Hill, shall be 50 feet lower than the highest elevation of the hill on which it is located.
- *** In the Rural Center and Lake Recreation Districts, one acre of land is required for the first horse and an additional 1/2 acre for each additional horse on such lot.
- **** Farmers' Markets shall be subject to the provisions contained in § 164-19.4 of this chapter.
- † Shall be a permitted accessory use to the principal single-family residential use in the specified district.

Section 5. District Schedule of Area and Bulk Requirements. **§164-9 – District Schedule of Area and Bulk Requirements, Subsection C**, shall be modified to add the following Zoning District and attendant requirements as follows:

The District Schedule of Area and Bulk Regulations shall be modified to add a column for the AOD zoning district, as follows:

TOWN OF STANFORD DISTRICT SCHEDULE OF AREA AND BULK REGULATIONS	
	Zoning District
Area or Bulk Requirement	AOD (feet)
Minimum lot area per principal dwelling unit or permitted nonresidential use § 164-12	1.5 acres
Minimum front yard:	
Structures	75
Parking	25
Maximum building height	
Minimum depth of lot	250
Minimum side yard (each):	
Structures	25
Parking	10
Minimum rear yard:	
Structures	75
Parking	25

Section 6. Accessory Buildings and Structures. The regulations set forth in **§164-13 - Accessory Buildings and Structures, Subsection (E)**, relating to height and setbacks of barns and silos, is hereby deleted and shall be replaced with the word "Reserved" as follows:

E. RESERVED.

Section 7. Signs. The regulations set forth in §164-17 – Signs, are hereby amended as follows:

A. **§164-17(B)(5)** shall be added and read as follows:

§164-17(B)(5) - Two (2) on-site or off-premises signs shall be used for advertisement of a Roadside Stand or a Farmers' Market, with permission of the property owner. They shall not exceed 32 square feet each, are required to be set back at least five (5) feet from the public right-of-way, and are required to be removed at the end of the selling season.

B. **§164-17(C)(5)** shall be added and read as follows:

§164-17(C)(5) - For individual farms within the Agricultural Overlay District (AOD), a sign is permitted as long as it does not hinder traffic sight lines.

Section 8. Farmers' Market. The introductory language set forth in **§164-19.4 Conservation density subdivision, Subsection (B)** shall be modified to read as follows:

“A Farmers' Market, as that term is defined in § 164-59 of this chapter, shall be permitted as a primary or accessory use in the Agricultural Overlay District (AOD), the Agricultural Residential District (AR) and the Rural Center District (RC) of the Town and shall be subject to the following regulations:”

Section 9. Additional Standards for Certain Uses. The regulations set forth in section 164-22 – Additional Standards for Certain Uses, are hereby amended as follows:

A. The regulations set forth in **§164-22, Subsection (E)**, Caged-type poultry houses, is hereby deleted and shall be replaced with the word "Reserved" as follows:

E. RESERVED.

B. The regulations set forth in **§164-22, Subsection (F)**, Commercial or other industrial activity directly serving farm operations, is hereby deleted and shall be replaced with the word "Reserved" as follows:

F. RESERVED.

C. The regulations set forth in **§164-22, Subsection (N)**, Livestock feed and sales lots, is hereby deleted and shall be replaced with the word "Reserved" as follows:

N. RESERVED.

D. The regulations set forth in **§164-22, Subsection (S)**, Pig and fur farms, is hereby deleted and shall be replaced with the word "Reserved" as follows:

S. RESERVED.

Section 10. Site Plan Review and Approval. The regulations set forth in **§164-30 – Applicability; general procedure** shall be modified to read as follows:

In accordance with Article III, § 164-8, District Schedule of Use Regulations, prior to the issuance of a building permit or certificate of occupancy for a change of use in any district, except for a one-family dwelling and related accessory uses, including Accessory Dwelling Units or permitted home occupations permitted by right, the Building Inspector shall require the preparation and approval of a site plan. The Building Inspector shall refer the applicant to the Planning Board for site plan review and approval in accordance with § 274-a of the Town Law and the more specific design standards and review procedures set forth in this article.

Section 11. Definitions. The Definitions set forth in §164-59 shall be amended as follows:

- A. **§164-59[9] – Barns and Silos** shall be deleted.
- B. **§164-59[30] – Caged-Type Poultry House** shall be deleted.
- C. **§164-59[37] – Commercial or Other Industrial Activity Directly Serving Farm Operations** shall be deleted.
- D. **§164-59[46] – Crop Farming** shall be deleted.
- E. **§164-59[47] – Dairy Farm** shall be deleted.
- F. **§164-59[63] – Farm** shall be deleted.
- G. **§164-59[] – Farmers’ Market** shall be amended to read as follows: “Farmers’ Market is defined in Section 126-3 of this Code.”
- H. **§164-59[90] – Livestock Feed and Sales Lot** shall be deleted.
- I. **§164-59[91] – Livestock Operations** shall be deleted.
- J. **§164-59[114] – Nursery and Horticultural Use** shall be deleted.
- K. **§164-59[120] – Outdoor Retail** shall be modified to read as follows: “Outdoor Retail - A tract of land used for the sale at retail of articles to be used or consumed off premises. Auctions, flea markets or other short-term seasonal sales events are typical ‘outdoor retail uses.’”
- L. **§164-59[128] – Pig and Fur Farms** shall be deleted.
- M. **§164-59[131] – Preparation and Storage of Farm Products** shall be deleted.
- N. **§164-59[] – Roadside Stand** shall be amended to read as follows: “Roadside Stand is defined in Section 126-3 of this Code.”

Section 12. Numbering for Codification. It is the intention of the Town of Stanford Town Board and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Stanford; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 13. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

Section 14. Effective Date. This Local Law shall take effect as of the date of filing with the New York Secretary of State.

AND BE IT FURTHER RESOLVED, pursuant to the applicable standards of the SEQRA regulations contained in 6 NYCRR Part 617, the Town Board hereby declares itself Lead Agency for purposes of SEQRA for this Type 1 action; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts and authorizes circulation of a copy of Part I of the Full EAF, a copy of which is annexed hereto, pursuant to the requirements set forth in 6 NYCRR Part 617; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to refer the proposed Local Law to the Stanford Planning Board for its report and recommendation pursuant to section 164-56 of the Town Code; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to refer the proposed Local Law to the Dutchess County Department of Planning & Development pursuant to New York General Municipal Law § 239-m; and

BE IT FURTHER RESOLVED, that a public hearing be held in relation to the proposed local law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall on __May 8th____, 2025, at 7 o'clock P.M., and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Stanford by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Stanford will hold a public hearing at the Town Hall, 26 Town Hall Road, Stanfordville, New York 12581, on _____, 2025, at 7 o'clock P.M. on Proposed Local Law No. ____ of 2025, entitled "A Local Law Amending Chapter 164 and Adding Chapter 126 to Codify the Right to Farm and the Establishment of a New Agricultural Overlay Zoning District."

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the Town of Stanford Town Hall, 26 Town Hall Road, Stanfordville, New York, during normal business hours on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Stanfordville, New York
 April 10, 2025

RITAMARY BELL, TOWN CLERK

The foregoing resolution was voted upon with all Board members voting as follows:

Wendy Burton, Supervisor	_____
Nathan Lavertue, Councilperson	_____
Julia Descoteaux, Councilperson	_____
Eric Haims, Councilperson	_____
Theodore Secor, Councilperson	_____

Dated: April 10, 2025
 Stanfordville, New York

RITAMARY BELL, TOWN CLERK