

TOWN OF STANFORD
PLANNING BOARD MEETING
MINUTES FOR JUNE 24, 2020

PRESENT:

Thomas Angell
James Fouts
John Van Leuven
Chris Flynn
Patrick Hancock

ALSO PRESENT: Ryan P. Cornelison, I.E, Wendy Burton, Town Supervisor

Thomas Angell called to order the virtual Planning Board Meeting at 7:30 PM.

Meeting was convened with the Governors March 13, 2020 Executive order 202.1-which suspended certain provisions of the open meeting laws to allow a Municipal Board to convene a meeting via video conferencing. In accordance with the Executive order, the public will be able to view the meeting on the Town of Stanford web site (townofstanford.org). The minutes will be prepared and provided later on the above website. This meeting is being live streamed via YouTube.

PUBLIC HEARINGS:

MILLBROOK SCHOOL / MASTER PLAN / KEN CASAMENTO

Patrick Hancock made a motion to open the Public Hearing. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried.

Thomas Angell reads a letter from Dutchess Land Conservancy and The New York State Department of Environmental Conservation received June 18. The DEC has no objection to the Town of Stanford serving as the lead agency for this project, permits may be needed if new construction is to impact multiple environmental factors. There were no public comments. James Fouts made a motion to close the Public Hearing. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried.

EDWARD DEANE LEONARD/LOT LINE ADJUSTMENT/PRESENTER LYNDEN CHASE

James Fouts made a motion to open the Public Hearing. Chris Flynn second the motion. All in favor: Unanimous. Motion carried. There were no public comments. James Fouts made a motion to close the Public Hearing. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried.

ALLOTTALAND LLC / LOT LINE CHANGE / PRESENTER BRIAN HOUSTON

James Fouts made a motion to open the Public Hearing. Patrick Hancock seconded the motion. The Planning Board unanimously passed the motion. A letter was read by Thomas Angell from The Dutchess Land Conservancy. Brian Houston requested to keep the Public Hearing open. The Planning Board will keep the Public Hearing on this application open until the next meeting scheduled for July 29, 2020.

BUSINESS:

DEBRA DILLINGER / LOT LINE ADJUSTMENT / PRESENTER DEBRA DILLINGER

Mollie McMurray reported that the ZBA held a meeting on June 10, 2020 and scheduled for July 8, 2020 a Public Hearing on the variance. Debra Dillinger is requesting a lot line adjustment on the North side of house, her mother's property is next door, for parking and getting to her well. The lots are too small and the set backs are not correct, so she'll need variances. Thomas Angell asked Ryan Cornelison if the Planning Board needed to do a SEQR review for this application. Ryan indicated that the Planning Board does not have to do a SEQR on a lot line adjustment. This is a type 2 action and no SEQR is required.

Patrick Hancock made a motion for this to be classified as a minor subdivision lot line adjustment. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried.

Patrick Hancock asked for the address: 171 West Hunns Lake Rd. James Fouts made a motion to schedule a Public Hearing on July 29, 2020. Patrick Hancock seconded the motion. All in favor: Unanimous. Motion carried. Debra must submit a notice of hearing to the Poughkeepsie Journal.

**ARTUR WALTHER / SPECIAL PERMIT / PRESENTERS FLORIAN IDENBURRG,
JOHANNES STAUDT**

The presenters gave a summary of the proposed application. The applicant, Artur Walther is seeking Town of Stanford Planning Board approval of a special permit to convert the existing building into a guest cottage and a negative declaration on the SEQR review. The project is situated on a 99 acre site located at 171-174 Hammond Rd, in Stanford, Dutchess County, NY. The applicant is further proposing the construction of a single family 3 -bedroom, 1 story, residence on the same property. To avoid any negative impact on the surrounding landscape and to maintain the characteristics of the neighborhood this new structure will be moved back from the road and neighboring property.

There is an ongoing review by the Health Department for the combined Septic System. The applicant's Civil Engineer has presented the data and testing required by the Health Department. The applicants are requesting a SEQR with a negative declaration or conditional preliminary Planning Board approval of the project. A previously approved guest cottage is now being used as a Yoga Barn and there are no utilities at the location. If a guest house or tenant house is to be built, it cannot be 50% bigger than the primary residence, and a primary residence must be built first. Thomas Angell states that after a discussion with Bob Butts, the Town of Stanford

Attorney, because the Planning Board previously approved this other structure as the Guest Cottage, there needs to be affirmative documentation that the prior Guest Cottage has been decommissioned and that it will not be recommissioned. This document has to be in a format that is legally enforceable. The applicant has no intent to use the Yoga barn for a guest cottage. With this documentation the Town of Stanford would be allowed to review the new Guest Cottage. This way if the house is sold, the new owners are legally obligated to adhere to the no residential use for the Yoga Barn-Guest Cottage. Discussion of this matter with an attorney would be necessary. This document will need to be recorded at the County Clerk's office.

The Applicant describes the new home as 1-story, cast-in place concrete ground floor, CIP concrete walls and large fenestration. No basement is planned, 3 bedrooms, 4 bathrooms, with an irregular steel and timber shaped roof. The applicant was questioned regarding planned mitigation steps for avoiding bird collisions with the large expanse of glass.. The applicant will use overhangs to avoid bird collisions, and the glass will be slightly more reflective but not mirroring. Thomas Angell asked why the applicant was requesting a 239-M referral? The applicant suggested that because they were requesting a Special Use Permit and because the property lies within a 500 feet distance from a town line a referral was necessary. The Town of Washington will receive the application as a courtesy. The Applicant submitted to the Health Department earlier in the year, but didn't know they needed a negative SEQR declaration or preliminary approval for the Health Department first. Chris Flynn made a motion to refer this application to the Dutchess County Department of Planning and Development under 239 M and as a courtesy to the Town of Washington. James Fouts seconded the motion. All in favor: Unanimous. Motion carried.

James Foust made a motion to schedule a Public Hearing on July 29, 2020. Patrick Hancock seconded the motion. All in favor: Unanimous. Motion carried.

Thomas Angell asks how would the Planning Board like to proceed for this evening? James Fouts responds that the Planning Board does not comment on the building structure. However we need a letter to rescind the Special Permit for the other Guest Cottage structure. After a discussion it was determined that the Planning Board must have a Public Hearing before going forward with a SEQR review.

The applicant will need a formal document revoking use of the previous Guest Cottage for the prior guest house for the July 29, 2020 meeting. Applicant should be able to get negative declaration at that meeting as long as loose ends are tied up. The applicant asked if a negative declaration can be given tonight, Thomas Angell states that without a Full Environmental Assessment Form being completed they could not give a conditional approval tonight, only the short form has been completed. Applicant will need to wait to hear from the County Planning Board. Applicant is not aware of any restrictions on the property. Applicant is asking for back up plan for conditional Planning Board approval in case something comes up. They will continue the application process at the next Planning Board Meeting on July 29, 2020.

MILLBROOK SCHOOL/MASTER PLAN/PRESENTER KEN CASAMENTO

Ryan Cornelison sent out the following documents to Planning Board members: Full EAF Part II, Addendum III, Lead Agency and Negative Declaration Resolution. James Fouts read the documents aloud, starting with the Full EAF.

A motion was made and seconded to check A on SEQR motion for a Negative declaration. All in favor: Unanimous. Motion carried.. Thomas Angell will sign the SEQR and scan it to Mollie and other members of the board.

James Fouts read the prepared resolution regarding the environmental impact of the Millbrook School Master Plan. The resolution was passed unanimously on a roll call vote. James Foust made a motion to accept the Millbrook School Master Plan Phase 3. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried. Ryan notes that each phase of the Millbrook School Master Plan will need to go through its own Special Permit application process and SEQR review. James Foust amends his motion to accept this condition. Chris Flynn seconds the amended motion. All in favor: Unanimous. Motion carried.

TAVEL AND SAMUELS II & KATZ / LOT LINE VARIANCE / PRESENTER KIRK HORTON SUSANA S DONO TAVEL BARBARA C SAMUELS II & RAUL KATZ

Kirk Horton states that Tavel would like to transfer a vacant 6.55 acres from their land parcel to Samuels & Katz. The resulting transfer would make 30.931 acres for Samuels & Katz, the land parcels are adjacent to each other. The Tavel's additional 42.66 acres is split by Stissing Road. James Fouts motioned to classify this as a lot line alteration minor subdivision. The motion was seconded by John VanLuven. All in favor: Unanimous. Motion carried. James Fouts made a motion to schedule a Public Hearing on July 29, 2020. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried.

BEVERLY L CANTER FAMILY TRUST AND RICHARD & ANNMARIE CONNIFF / LOTLINE ALTERATION / PRESENTER KIRK HORTON

Richard & Annmarie Conniff would like to acquire a 12'x25' piece of Canter's land, being 0.007 acre, through a lot line change. Lot line change would be between lots 15 & 16 on "Bulls Head Farm, Section II" on Shelly Hill Road. The lot line change would allow a gateway/pillar construction. James Fouts moved to classify this as a boundary line change minor subdivision. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried. James Fouts made a motion to schedule a Public Hearing on July 29, 2020. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried. Kirk Horton states that they will get a letter from DLC saying this is permitted because each lot has an easement with DLC, but it is just a line change.

BRANDED IMAGE GROUP / IMAGE CONVERSION / PRESENTER JADEN FULLER IS REPRESENTED BY GREG LUDWIG

Greg Ludwig explains that The Branded Image Group is reimagining the Cobble Pond Gas Station. This is to bring an updated image to the current Gulf Oil Gas Station national standards. There would be no structural changes on the location. There would be new logos, illumination on the sidings of the canopy. Vinyl and painting will be done as well. It's a downward glow that

shines down, a soft LED glow in a trough. All lights will be off when the store is closed. The dispensers will be re-imaged as well, the pumps will not be replaced, just the faces. The new logos on the dispensers will just be metal, no additional illumination. The MID Sign will feature new internal LED lighting in the cabinet and LED price cabinet. Sign will not change sizes - only refacing. The lighting is adjustable. The sign will turn off at night. There followed a review of the proposed changes. James Fouts would like the lights to be flush with the paneling and questions the ability to make the lights on the store less brash and be more downward. Presenter does not see any issue with new lighting.

Tom Angell asks based on zoning code Section 164-17, what is the role of the Planning Board because it appears that sign permits are to go to the Building Inspector - how did Planning Board get the application? Greg Ludwig responds they sent it in straight into Planning Board because it is hard to get a hold of people due to COVID-19. Ryan Cornelison asks if the planning board has done sign approvals? Yes. Mollie McMurry states that Don Smith said it should go through the Planning Board. Thomas asks if it is a site plan application? No. So he doesn't think it is Planning Board jurisdiction. Ryan Cornelison finds code that says signage is included as long as it is part of the original site plan. Thomas Angell states to seek approval of the Planning Board, it would have to be a modification to an original site plan. Ryan Cornelison agrees that that makes sense.

Thomas Angell brings up some issues including Internal illumination of the sign which is not permitted under the Town of Stanford code and the sign is too close to the road. Greg Ludwig suggests they may be able to use different lighting to address the internal illumination issue and use external lighting. The setback may be \$8000-\$10000 project. James Fouts prefers downward lighting due to neighboring houses. Thomas Angell adds that the sign is also too tall by about ~10 feet and never came through the Planning Board for this sign to be built. And too close to any adjacent property lines.

The Planning Board recommendation is for the applicant to research the original site plan and come before the Planning Board with any modifications and requested amendments. These would have to be in accordance with Town of Stanford Code rules and regulations which is on the web site townofstanford.org.

WENDY DE WOLF / EXTENSION OF TOWN OF STANFORD PLANNING BOARD APPROVAL OF SITE PLAN / PRESENTER WENDY DE WOLF

This is a request for an extension of the site plan for Stanford Solar LLC. The prior approval was given in December 2019 and expired after 6 months. COVID-19 halted construction. The applicant is hoping to pull a building permit in July. No changes have been made.

James Fouts asks the current status on the project? Wendy De Wolf responded with a start date in July or early August. Construction should take approximately 6 months due to clearing out of the mine.

Wendy De Wolf provides an update on the project stating it is 5 MegaWatt Solar Facility on property next to Town Hall, set back from the road, and away from neighboring property.

Thomas Angell talked with the Town attorney Robert Butts, about the initial request to build and if the approval process should be with the Planning Board or the Town Board. Section 80.6 states that an application for a large scale solar energy system shall be reviewed by the building inspector code enforcer office and referred to the Town Board for comments and review of action, including approval or denial. The Town Board requested that the Planning Board review this application and send its recommendations. The Town Board would be the approving authority. The same section talks about the Planning Board giving site plan approval. The Town Supervisor is on the call to clarify. Wendy De Wolf adds some clarifications before Wendy Burton begins speaking, this project got a site plan from the Planning Board and Special Use Permit approval from the Town Board. So the Special Use permit is not expiring according to the code. Thomas Angell asks Wendy Burton are you okay with us going forward with this tonight? She responded yes.

James Foust made a motion to extend the site plan approval for Stanford Solar LLC to January 8, 2021. Patrick Hancock seconded the motion. All in favor: Unanimous. Motion carried.

EDWARD DEANE LEONARD AND CALDWELL LANDS / 0.29 ACRES / PRESENTER
LYNDEN CHASE

Lynden Chase states that Leonard would like to transfer 0.29 acres to neighbors Caldwell so they have access to propane tanks and pool enclosure so filters are not on the neighbors property.

James Foust made a motion for final approval for Edward Deane Leonard 0.29 acre to be conveyed to Lawrence G. Hitzeman & J.McGinnis Caldwell. Chris Flynn seconded the motion. All in favor: Unanimous. Motion carried.

ALLOTTALAND LLC / LOT LINE CHANGE / PRESENTER BRIAN
HOUSTON

Brian Houston presents saying since May meeting he has revised the map. Property on 655 Bangall Road, Lot B is an existing lot on 5.00 acres of land. The adjoining parcel Lot A is 24.78 acres. The applicant is seeking an equal area swap of land. 2.24 acres from each of parcels would be exchanged. Lot A is vacant. It had an existing envelope on it. The applicant proposes to expand on that building envelope into Lot A. The revised map has multiple building envelopes labeled on Lot A. Building envelope #2 has DLC easements, so it has restrictions on types of buildings. DLC had asked for additional notes on building envelopes and they will work those out together. The public hearing has been kept open because the clients and neighboring property owner Mr. Mills are working out the size of a new building envelope in Lot A.

OTHER: Tom Angell asked Wendy Burton are we going to continue with Zoom Meetings? Wendy Burton replied that the meetings will be held at the Town Hall beginning in July.

James Fouts made a motion to approve May 29 minutes after amendments to spelling corrections. Patrick Hancock seconded the motion. All in favor: Unanimous. Motion carried.

April 27 minutes will be approved at the July 29 meeting.

ADJOURNMENT: The Board adjourned after 2 hours 32 minutes.

Submitted by: Sara Knickerbocker
July 26, 2020

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