

TOWN OF STANFORD
PLANNING BOARD MEETING
MINUTES FOR SEPTEMBER 29, 2021

PRESENT:

Thomas Angell
Patrick Hancock
Chris Flynn
Brad Rolston
William Moriarty
Ryan Weitz (Planning Board Engineer)

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

PUBLIC HEARINGS:

SPECIAL USE PERMIT: VAKHTANG ESVANDJIA & SYLVIE PICQUET-DAMESME
134 Haight Hill Rd, Stanfordville, NY 12581

Mr. Angell asked for the notices that the public hearing was posted and Mr. Esvandjia provided them to Ms. Knickerbocker. No members of the public were present and a presentation of the project was not requested. Mr. Flynn motioned to close the public hearing, Mr. Moriarty seconded. All in favor, Mr. Angell, Mr. Hancock, Mr. Flynn, Mr. Rolston, Mr. Moriarty. Motion carried.

BUSINESS:

SPECIAL USE PERMIT: VAKHTANG ESVANDJIA & SYLVIE PICQUET-DAMESME
134 Haight Hill Rd, Stanfordville, NY 12581

Mr. Larson presented updates to the application since the last meeting. Mr. Larson explained that the guest cottage would be newly constructed now, as the previous building could not be renovated. Mr. Larson also explained that the septic plan is currently working its way through the County Health Department and they do not seem to have any issues with the application South of the road, but they do want more information on the septic North of the road, however that part is unrelated to the application in front of the Planning Board. No additional presentation was requested. Mr. Angell stated that the Planning Board can give conditional approval for the Special Use Permit dependent on the approval of the septic from the Board of Health. Mr. Rolston motioned to grant conditional approval, Mr. Flynn seconded. No further discussion from the Board. All in favor, Mr. Angell, Mr. Hancock, Mr. Flynn, Mr. Rolston, Mr. Moriarty. Motion carried.

SPECIAL USE PERMIT: SAUL GOODMAN & NATHALIE RUBENS, CRISPS
ARCHITECTS
921 Duell Rd, Stanfordville, NY 12581

Mr. Melito from Crisp Architects presented. Mr. Melito explained since the last meeting the applicants have connected with Ryan Weitz to address project concerns. Mr. Weitz reviewed the materials and said there were some minor concerns. Mr. Weitz explained that the application was unclear as to the square footage of the guest cottage based on the submitted materials, but Mr. Melito was able to verbally confirm that the existing building would meet the code requirements for the size of the building. Mr. Weitz said that the other comments were about the Short Environmental Assessment form regarding the bats, butterflies, and turtles and what the action involves. Mr. Weitz said the project does not have any proposed action that would cause disturbance to those items. Mr. Weitz said there is no reason to delay the scheduling of a public hearing for the application. Mr. Angell asked to hear about the primary residence from Mr. Weitz, Mr. Weitz explained that they have not been tasked with reviewing the primary residence as it is not part of the application. Mr. Angell further explained because the applicant is building a primary residence and not a guest cottage, the process is a bit backwards, so there still needs to be a site plan review for the primary residence. Mr. Melito explained that all the site plan materials have been provided for the primary residence and he has received approval for the driveway location as well. Mr. Weitz said the primary residence meets all the general code requirements, it will need approval for septic. Mr. Angell asked to see the site plans from Mr. Melito. Mr. Melito presented. Mr. Angell asked for the acreage and topography of the property, Mr. Melito said it is 66.26 acres and there is a high point towards the middle. Mr. Angell asked the current use of the property, Mr. Melito said it is not being farmed. Mr. Angell asked what the neighbors will be able to see of the new house, Mr. Melito said the house will exceed the high of the hill, but the house will not be very visible from the other sides. Mr. Angell asked when the new owners purchased the house, Mr. Melito responded within 2 years. Mr. Melito said they are doing some trimming of the trees to clean up dead trees and poison ivy. Mr. Weitz explained the features that would be flagged for the primary residence would be environmental factors regarding endangered species, but the tree clearing would be very minimal. Mr. Angell asked about the road profile, Mr. Melito said he walked the property with the Highway Superintendent, and it satisfied the site distance and the driveway satisfied the fire department. Mr. Angell asked the total disturbance of the site plan and Mr. Melito said it would be about 3 acres. Mr. Weitz confirmed that under 5 acres does not require additional review for single residence. Mr. Hancock asked if there was any consideration for using the common driveway, Mr. Melito explained the grade is much steeper to cut through and would exceed the 10% grade. Mr. Melito said the structure would be about 10,000 square. Mr. Angell said historically they have tried to avoid building structures on the highest points of the property, and Mr. Melito said they are well under the maximum height code requirement. Mr. Weitz explained that you will be able to see the building from the road if you are looking up the hill. Mr. Angell asked if they could drop the house down the hill a little further, Mr. Melito explained that would cause more disturbance and the septic would be in an area that is too steep. Mr. Angell said he would like to schedule a site visit for the property on October 23 at 10:00 am. Mr. Weitz said the application will need a 239M referral due to the property being within an agricultural district.

MINOR SUBDIVISION: DARLING SAND AND GRAVEL, INC

5699 Route 82, Stanfordville, NY 12581 – Presenter Brian Houston

Mr. Houston presented. Mr. Weitz had not a chance to review the application's newly submitted materials regarding the common driveway. Mr. Houston said they adjusted the size of the one lot to 8.19 acres and reduced the other 2 lots. Mr. Houston explained that the common driveway had been extended from 40 feet to 48 feet, as that was one of the comments in Mr. Weitz's review about the swells in the drainage. Mr. Angell asked who would own the common driveway, Mr. Houston explained it would go through 2 lots, but there would be an easement over it. Mr. Houston said the easement has not been drafted yet. Mr. Angell suggested that Mr. Houston speak with Robert Butts, the Town Attorney to get a draft of an easement. Mr. Houston said the DEC created a 33 foot wide fishing easement on the property that connects to the town property. Mr. Houston said there is a deed filed. Mr. Houston requested to move forward with the public hearing, but the Board would like to see the application completed first. Mr. Weitz summarized that the application will need to still submit the common driveway easement, a letter from the fire department approval, driveway road maintenance agreement, building inspector approval, and conservation easement. Mr. Angell said once all those materials have been submitted, they can move forward with the public hearing.

MAJOR SUBDIVISION: ROCKY REEF FARM, LLC

6906 Route 82, Stanfordville, NY 12581 – Presenter Ernie Martin, Spencer Hall

Mr. Martin presented. This application had been before the Board about a year ago, but the applicants have now made modifications. The previous application had four separate driveways and lots, and the Board had requested to limit disturbance. The application added a lot line alteration south of the property with Helen Watson Blodgett. Mr. Martin explained that the line will be modified to include all the land going around the four lots. Mr. Martin further explained that the properties will be accessed by an existing private driveway that will be extended. Mr. Angell asked to see the aerial map to see the driveways since the locations have changed. Mr. Martin said that there will be one common driveway instead of four separate driveways, but the house sites have not changed. Mr. Martin explained the property line around the property would add to the conservation easement that goes all around the property. Mr. Martin explained that by code that they have to add a certain amount of land to the easement, then Mr. Angell asked for an explanation for the sliver of land surrounding the property. Mr. Martin said that is what the owners wanted to do. Mr. Angell asked if there had been discussion with the neighbors about the extending the common driveway. Mr. Martin said that Aberdeen Lane is part of Rocky Reef property, but they cannot find anything in the deed that says they have access to it. He further explained that there are four properties and Rocky Reef accessing the Lane right now. Mr. Cook said that he will be speaking with the neighbors after the conceptual idea is approved, then he will take care of legal documentation. Mr. Angell asked if the applicant had spoken with the Planning Board attorney, which Mr. Cook responded yes, he had been in touch with Mr. Butts. Mr. Cook said that Mr. Butts told him that he needs a formal referral from the Planning Board to process with consultation. Mr. Weitz added his comments. Mr. Weitz mentioned that the common driveway will be accessing eight properties instead of five now, which brings it to the

maximum access allowed, but they will comply. Mr. Weitz asked for clarification on the common driveway agreements with the neighboring properties. Mr. Weitz said the addition of the private lane bumps the subdivision up to a major subdivision application. Mr. Angell asked if the conservation density subdivision makes it automatically a major subdivision anyway. Mr. Weitz said he would look into the matter, but he is not sure at this moment. Mr. Weitz further explained that the applicant will have to meet requirements for the private lane in terms of road frontage and would also like clarification on updates to the site plans. Mr. Hancock asked if there are any plans to use the agricultural laneway for access to the property, Mr. Martin and Mr. Cook said they would like to use the existing farm roads. Mr. Angell expressed concern about sharing driveways if someone sells their portion of the subdivision and asked if there are plans to address the legal issues and if there would be other access in the event that property pieces are sold. Mr. Martin said there is access from Route 82 and Attlebury Hill. Mr. Angell clarified if the conservation easement would allow any building on the property and Mr. Martin confirmed there would be no building permitted except gazebos within a small building envelope. Mr. Weitz asked if the current or new conservation easement contains any instrument to prevent further subdivision. Mr. Battistoni commented that he would speak to the Planning Board attorney regarding that matter. Mr. Weitz said there are also environmental concerns regarding the upper Wappingers CEA and flood plains, but that is on the other side of Route 82. Mr. Martin said they have an application together to address the culvert with the DEC. Mr. Weitz said that the Planning Board will make the environmental determinations when they go through Parts II & III on the assessment forms. Mr. Angell said he would like to see the aerial with the new driveway. Mr. Angell also mentioned that the issues with sharing the driveway will have to be worked through with the adjoining properties. A formal referral to Mr. Butts will be made. Mr. Weitz explained that because the subdivisions are greater than five acres it will be a non-realty subdivision and will not be required to get Board of Health approval. Mr. Cook asked what can be done if the neighbors do not want to sign a driveway agreement. Mr. Angell said that would need to be worked out with the applicant's attorney and Mr. Butts. Mr. Battistoni said they will draft a homeowners legal agreement, but Mr. Cook said he does not think the neighbors will sign it. Mr. Hancock asked who maintains the road now, and Mr. Cook replied that they do. Mr. Cook said they may need four out of eight of the homeowners to share the cost to maintain it and the rest would get a free ride. Mr. Battistoni mentioned that he would be speaking to Mr. Butts about the ability for the lots to have guest cottages on the subdivided properties. Mr. Weitz said this would be an unlisted action and the Planning Board would be the lead agency.

SPECIAL USE PERMIT: Michael and Constance Edwards

123 Creamery Road, Stanfordville, NY 12581- Presenter Mark Graminski

Mr. Graminski presented. Mr. Graminski said that there is an existing residence on the property that the applicants would like to reclassify that building as the guest cottage and construct a new primary residence. The property is located on the west side of Creamery Road and is about 165 acres. Mr. Graminski said there is an existing driveway that goes to the existing residence that was constructed in 2015 and has its own water supply and sewage. Mr. Graminski said the new primary residence will have a new driveway, its own water supply, and have done testing to

submit to the Health Department. Mr. Graminski said there are some wetlands on the property that they avoided, and the project will not effect the wetlands. Mr. Graminski said the property has about 50 acres as part of an agricultural exemption and the new building will not affect that portion of the property. Mr. Angell asked for a summary of the topography of the property and Mr. Graminski said there were minor changes to the property not reflected on the map he had from 2015, that included the driveway. The property has a wooded and rolling topography. Mr. Hancock asked the size of the current residence, the building is approximately 2,000 square feet. Mr. Angell asked if there are site plans for the new building, Mr. Graminski said they have some if the Board would like to see them. Mr. Angell suggested the applicant submit the materials to Mr. Weitz to have him review the application.

SPECIAL USE PERMIT: Claire Copley and Alan Eisenberg

85 E Hunns Lake Road, Stanfordville, NY 12581 – Presenters Claire Copley and Alan Eisenberg Ms. Copley and Mr. Eisenberg presented. Mr. Eisenberg said they have 17 acres that is mostly wetlands. Ms. Copley said the DEC had come and marked off the wetlands. Mr. Eisenberg would like to build a guest cottage using the existing driveway. Ms. Copley said they will make additional parking space near their garage, but use the same driveway. Mr. Angell asked if they worked on the septic yet, Ms. Copley said they have an appointment for designing the septic and put a new well in. Mr. Angell asked Mr. Weitz if guest cottages are permitted in all zones, he confirmed that guest cottages are permitted in all districts. Mr. Angell asked how many acres are not wetlands, Ms. Copley was not sure. Mr. Angell was concerned that they might not be able to fit another septic on the property, but Ms. Copley and Mr. Eisenberg said the engineer said it should fit. Mr. Flynn expressed concern about meeting setbacks for a new well. Ms. Copley and Mr. Eisenberg said there should be room. Mr. Angell asked the pair to get a letter from an engineer explaining they will meet the requirements, then the Board can move forward.

MINOR SUBDIVISION: Bulls Head Road LLC

1204 Bulls Head Road, Clinton Corners, NY 12514 - Presenter Ken Casamento Mr. Casamento presented. Mr. Casamento explained that the group of friends would like to still move forward with the subdivision and use a common driveway. Mr. Casamento said they have added a landscape easement since the last presentation to keep the tree line maintained with the neighbors and supplement with more evergreen trees. Mr. Casamento explained each parcel would be over 10 acres. The application is not ready for Health Department approval at this time. Mr. Weitz and Mr. Casamento will work together on the application and will most likely appear before the Board in November.

PRE-APPLICATION CONFERENCES:

MINOR SUBDIVISION: Robert Strand

44 Willow Brook Ridge, Stanfordville, NY 12581 – Presenter Robert Strand Mr. Strand presented. Mr. Strand said that he has a flagpole lot on Willow Brook Ridge and he loves the neighbors, but they are looking to move his elderly mother into their home and their home is not set up to accommodate her. Mr. Strand is looking to subdivide 5-5.5 acres off their lot to build a structure for her and to stay in the neighborhood. Mr. Strand explained that the homeowners' association has to approve the subdivision by a 75% vote, but he wanted to make

sure the subdivision was possible before he went before the association. Mr. Weitz explained that there are specific requirements for flag lots and sometimes there are restrictions on the plat or in the deed. Mr. Angell asked if there are restrictions listed on those documents. Mr. Strand replied there are none on the deed, but he is not sure about the plat. Mr. Weitz said since the property was subdivided in 1987-90 they should still be able to subdivide it further, but he will take a closer look at the code. Mr. Angell suggested he investigate senior housing or building a guest cottage, and to see how the property could have road frontage. The Board further discussed options to waive the frontage or to have a neighbor sell a strip of land in order to get the road frontage needed. Mr. Angell suggested that Mr. Strand to either file a formal application or consult an attorney to discuss the matter.

4 Thompson Lane, Stanfordville, NY 12581 - Presenter Matteo Fraticelli

Mr. Fraticelli presented. Mr. Fraticelli said he has a piece of property near Hunns Lake on Thompson Lane. The property runs along a 14 foot strip of land along the road. Mr. Fraticelli had mentioned that they have an issue with noise and privacy, so he wanted to ask if he would be able to donate a tree or plant line along the road to reduce noise. The green edge would be about 4 feet high. The strip of land belongs to the Town and is not owned by anyone. Mr. Fraticelli showed the Board drawings of his conceptual idea. Mr. Angell explained that the Board does not have jurisdiction in this matter and that most roads in Town are user roads. Mr. Fraticelli had a land survey done to show how his property juts out the 14 feet. Mr. Angell suggested that Mr. Fraticelli speak with the Highway Superintendent about creating the green edge. Mr. Fraticelli had checked the parcel access and cannot find an owner for the strip of land. Mr. Fraticelli had then asked the Board about building a cabin if he combined his property. Mr. Fraticelli said they have about 2 acres combined. Mr. Angell explained they would need 5 acres in the Lake Residential zone, and that duplexes are not permitted. Mr. Angell said they could maybe build an accessory apartment, but it has a lot of restrictions. Mr. Fraticelli expressed interest in building a small cabin that he would not rent out. Mr. Angell read code explaining that Mr. Fraticelli could use his covered porch for an accessory apartment, but he suggested that he speak with Don Smith, the building inspector.

134 Haight Hill Road SEQRA Review

Mr. Angell read Part II and answered no for each item. The resolution for the 134 Haight Hill Road Special Use Permit application would result in a negative declaration. Mr. Angell proposed the resolution, Mr. Flynn seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Moriarty, Mr. Hancock, Mr. Rolston. Motion carried.

OTHER:

Mr. Moriarty motioned to approve September 29 Meeting minutes as written; Mr. Flynn seconded. All in favor, Mr. Angell, Mr. Hancock, Mr. Flynn, Mr. Moriarty, Mr. Rolston. Motion carried.

The next meeting will be scheduled for October 27, 2021.

ADJOURNMENT:

Mr. Flynn motioned to adjourn the meeting, Mr. Moriarty seconded. The meeting was adjourned at 9:30 pm