

Town of Stanford Planning Board Meeting

July 27, 2022

7:30 PM held at Town Hall

PRESENT: Thomas Angell (Chairman), Chris Flynn, William Moriarty, Brad Rolston, Ryan Weitz (Planning Board Engineer), Frank Pepe (Town Board Liaison)

ABSENT: Patrick Hancock

Meeting begins at 7:30 PM

PUBLIC HEARINGS:

BUILDING ENVELOPE AMENDMENT AND SPECIAL USE PERMIT: YOUNG: John Andrews

186 Hobbs Ln, Clinton Corners, NY 12514

Mr. Andrews presented Ms. Knickerbocker with the notice to the Poughkeepsie Journal and certified mailings. A presentation on the project was requested by the public. Mr. Andrews presented the site plan for Deno Ltd, Gary Young, to the public. Mr. Andrews explained that the parcel had a building envelope of about 100 by 175 feet. A member of the public asked to have building envelope defined. Mr. Andrews explained it is an area on the parcel in which development would be permitted. Mr. Andrews said his client would like to build a single-family home on the property so they are applying for an additional building envelope and a special use permit to convert the garage into the guest cottage. Mr. Andrews clarified that the buildings will not be rented. Mr. Andrews further explained that the existing driveway will be maintained and that the wetlands had been delineated and accepted by the DEC. Mr. Andrews said that the new driveway will need a permit as it intrudes on the 100 foot buffer in a couple locations, but the majority of the driveway has been pulled out of the wetlands and buffer. Mr. Andrews said the driveway leads to the single-family home site with a garage and potentially a pool. Mr. Andrews explained that the house site meets all the zoning requirements and that his client had met with the Planning Board previously to discuss a house location and the house location will now avoid the ridgeline and maintain the open fields. Mr. Andrews said the fields on the property are currently being hayed and will continue to be hayed with the development of the new home. Mr. Norton, 232 Hobbs Lane, made comments. Mr. Norton complimented the Planning Board on the original Pendergast subdivision, and the conforming style of the garage that Gary Young put on his property. Mr. Norton said his concern was that the property contains a lot of wetlands, a pond that feeds the surrounding properties, and animal sanctuaries, including a family of coyotes. Mr. Norton was concerned about the visual from the road, the wetlands, and the buffer to the neighboring houses, but he said it seems those issues have been addressed. Ms. Prudden, 2759 Salt Point Turnpike, had a question for the Planning Board. Ms. Prudden asked if this proposal will have impacts on similar properties nearby. Ms. Prudden then asked for further clarification if this decision would have a cascading effect on surrounding parcels, including a 140 acre farm lot nearby. Mr. Angell explained that the reason this particular application has a building envelope is because Mr. Pendergast asked to subdivide his property and it was decided to place building

envelopes on each parcel to preserve the open farm land. Mr. Angel further explained that if a parcel has not been before the Planning Board, the applicants of those parcels are free to do what they would like with the land within the parameters of the code. Mr. Angell said that the Planning Board had done a site visit with the applicant, and the applicant had been very willing to make adjustments and done everything correctly by code to apply for a guest cottage. Mr. Angell further explained that the project seems within what the Town would permit and has followed proper code, so the application has moved forward. Mr. Flynn motioned to close the public hearing. Mr. Moriarty seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Moriarty, Mr. Rolston. Motion carried.

BUSINESS:

BUILDING ENVELOPE AMENDMENT AND SPECIAL USE PERMIT: YOUNG: John Andrews

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SEQR was conducted. Mr. Rolston read Part II and Part III of SEAF and found that based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. Mr. Rolston motioned to amend the subdivision plat to include the additional building envelope. Mr. Moriarty seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Moriarty, Mr. Rolston. Motion carried. Mr. Flynn motioned to grant a special use permit for the conversion of the garage to a guest cottage. Mr. Rolston seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Moriarty, Mr. Rolston. Motion carried.

SITE PLAN AND SPECIAL USE PERMIT: MILLBROOK SCHOOL FACULTY HOUSING: Ken Casamento

131 Millbrook School, Millbrook, NY 12545

Mr. Casamento explained that he resubmitted the EAF to Mr. Weitz and the Board. He also had the septic design submitted to the Department of Health for their review and had the DEC verify the wetland boundary with no concerns. Mr. Casamento also stated that the SWPP is under review and should be finalized next week. Mr. Weitz recommended protective fencing go along the wetland buffer to prevent accidental disturbance. Mr. Weitz had spoke to Mr. Casamento about clearing, and it will be less than 3 inches so there will be no issues and environmentally they are in good shape. Mr. Weitz anticipated completing the stormwater review next week but does not foresee any major changes to the plan. Mr. Angell asked Mr. Casamento if a special meeting in August would be needed. Mr. Casamento said they would like the special meeting on August 31 to keep the timeline on track. Mr. Flynn motioned to schedule a public hearing on August 31. Mr. Moriarty seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Moriarty, Mr. Rolston. Motion carried.

PRE-APPLICATION CONFERENCE:

SPECIAL USE PERMIT: 66 West Hunns Lake Rd, Stanfordville, NY 12581: Emily Tiller

Ms. Tiller presented. Ms. Tiller had expressed interest in purchasing the 2.25 acre lot on West Hunns Lake Road, but she explained that she is looking into different usages for the piece of land before buying the lot. Ms. Tiller showed a map of the parcel on her iPad and said there is a small shed on the property. Ms. Tiller said they had been in negotiations with the family for the price because it is unclear the possible use for the property, and it could have very limited options. Ms.

Tiller had been in contact with Don Smith and Ms. Knickerbocker to research the use options for the parcel. Ms. Tiller reviewed the code and in Lake Residential zones a boat moorage or fishing establishment would be allowed with a special use permit and she saw that as a great opportunity to offer the community some form of access to the lake. Ms. Tiller explained that the lot is too small to build a house on, but Mr. Smith had said she could apply for a variance if she wanted, but she is very aware of the size of wetlands on the property, lack of road frontage, and the stream that runs through the middle of it. Ms. Tiller said that there was a time that she drove by to look at the property and there were several illegally parked cars on the lot using the boat launch, and when she asked the owner about the situation, he had said they do not allow that and did not know who the people were. Ms. Tiller said that it appears that the community needs an access point and perhaps a kayak or boat rental would do well there. Ms. Tiller further explained that she cannot justify making a purchase not knowing what uses are permitted with the property. Ms. Tiller said that Mr. Smith had told her that a bait and tackle shop would be considered retail and is not permitted in Lake Residential, but the code allows a fishing establishment, so it is unclear where a bait and tackle shop would be categorized. Ms. Tiller said the second option they wanted to consider was using the property for personal use only and parking a camper there. Ms. Tiller explained that she operates an Air BnB in Kerhonskon, and the Town's stance on Air BnB was that there was legislation on it, so she could operate the Air BnB until code is adopted saying otherwise. Ms. Tiller said that Mr. Smith had told her that Air BnB is not in the code, so it is not permitted. Ms. Tiller would like to find a way to bring the people to the area and use the land that otherwise would not be used. Ms. Tiller presented another possible use; this option was setting up a campsite and using a company called Tentr. Ms. Tiller explained that Tentr is a carry in, carry out set up and provides literature on environmental impact and toilet waste bags. Ms. Tiller said the heavy tree line and lack of nearby neighbors should not cause a lot of disturbance. Ms. Tiller said the campsite would not require a sewer or well. Mr. Angell asked how much of the property is wetlands and how much of it is not within 100 feet of the wetlands. Mr. Weitz explained that there a lot of DEC wetlands and Ms. Tiller would have to do a delineation to determine the wetland areas and the 100 foot buffer from those wetlands. Mr. Weitz said she would need a permit to build in that buffer area. Ms. Tiller asked Mr. Weitz if the parcel was unbuildable, he nodded and gave a suggestion of reaching out to the DEC regional office to delineate the property. Mr. Weitz explained the three ways a wetland can be classified based on the soil, vegetation, or standing water. Mr. Angell stated that he thought the bait and tackle shop would be Ms. Tiller's most viable option. Mr. Angell explained that there is an entire section of the code that Ms. Tiller would have to review when she applies. Mr. Rolston suggested that Ms. Tiller consider options that are permitted under a special use permit. Ms. Tiller explained that operating a bait and tackle shop might be outside her comfort zone, but a boat and kayak rental would be more her style. Mr. Angell said he would have an expansive view of the matter but does not wish to speak on behalf of the other Board members. Mr. Angell further explained that a campsite would require septic based on the Town code. Mr. Angell told Ms. Tiller if she wished to change the code, she would have to go to the Town Board. Mr. Pepe told Ms. Tiller that is a significant undertaking because it effects the entire Town. Ms. Tiller asked if Air BnB would be permitted. Mr. Angell said it was his understanding that there is no prohibition on Air BnB. Ms. Tiller said it is not regulated by the Town or the County. Mr. Angell and Mr. Pepe said that the Town Board is considering action on Air BnB regulation within the next couple of months. Mr. Pepe said it is the Board's hope that the interest of the community is served to increase local business and property values. Mr. Pepe said the Board wants to also protect

neighborhoods and the environment. Ms. Tiller asked if an upscale port a potty combined with a tent would be allowed. Mr. Angell explained that the use is what matters, that people have events and put a port a potty on their property, but it is not a business, so permits are not required for such things. Mr. Angell said once it becomes a business, a septic system would have to be approved by the Board of Health. Mr. Angell asked Mr. Weitz if he knew whether a restroom would be required if a business is on the property. Mr. Weitz said he was not sure if it was required by Town code, but could be a state regulation. Mr. Weitz said there is nothing specific about boat moorages in the code, so they would fall back on general code regulations for restrooms. Mr. Angell explained that if Ms. Tiller parked her camper and used it overnight it would not cause an issue, but when it becomes a permanent fixture, that is when it would be a problem. Mr. Angell reiterated that the Planning Board does not enforce the code. Mr. Weitz explained that a bed and breakfast would require septic. Ms. Tiller said she would reach out to DEC. Mr. Weitz suggested Ms. Tiller reach out to the Department of Health regarding the septic system or type of restroom she could have on the property.

OTHER:

APPROVAL OF June 29, 2022 MINUTES

Mr. Flynn motioned to approve the minutes with amendments to “counsel” instead of “council” and “on going” instead of “going on.” Mr. Moriarty seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Moriarty, Mr. Rolston abstained. Motion carried.

Mr. Moriarty motioned to adjourn the meeting. Mr. Flynn seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Moriarty, Mr. Rolston. Motion carried. Meeting adjourned at 8:36 PM

Special Meeting for Millbrook School on August 31, 2022 and next scheduled meeting September 28, 2022.

Minutes recorded by Sara Knickerbocker