

Town of Stanford Planning Board Meeting

February 22, 2023

7:30 PM at Town Hall

Present: Thomas Angell (Chairman), Patrick Hancock, Brad Rolston

Absent: Chris Flynn, Will Moriarty

Meeting begins at 7:31 PM

BUSINESS

SPECIAL USE PERMIT, ACCESSORY APARTMENT: SNARE: Ed Loedy & Beth Nash  
141 Shelley Hill Rd, Stanfordville, NY 12581

Mr. Loedy and Ms. Nash presented. Mr. Loedy explained that the applicants are looking to convert an existing garage into an accessory apartment. Mr. Hancock asked how far down Shelley Hill the property is and Mr. Loedy said it is right before you run into Homan Road. Mr. Loedy said the property used to be a farm and the existing building was used to store large farm equipment. Mr. Loedy said the building is 50 feet by 30 feet and open inside. The owners had requested that Mr. Loedy design plans to create the space into a residence. Mr. Loedy explained that the owners have a small child and that the grandparents would stay in the space when they are visiting from the Carolinas. Mr. Loedy showed interior designs on a drawing as well as a carport purposed outside the building. Mr. Loedy said the accessory apartment is a permitted use. Mr. Hancock asked if the structure is wooden, and Mr. Loedy replied that it has a 4 foot wood block frame. Mr. Angell asked if the lot size is 2.6 acres, and Ms. Nash replied yes, that it is non-conforming within the RR district. Mr. Rolston asked what the square footage of the converted building would be, and Ms. Nash replied 1460 square feet. Mr. Rolston asked if the whole space would be used for the apartment and Mr. Loedy said yes, and that it would be only one bedroom because that is what is permitted. Mr. Rolston asked if the apartment would be between 400 and 600 square feet and Ms. Nash confirmed it would not be and that they would require a variance. Mr. Rolston asked where the applicant was in the process with the Zoning Board with that variance, and Mr. Angell explained that typically the applicant would come to the Planning Board first to get a recommendation to the Zoning Board. Mr. Loedy said they have an application prepared. Mr. Loedy said the grandparents could use the den for office space so they can work while they are visiting. Mr. Rolston clarified that the apartment would be for the parents of the owners, and they would not be living there full time. Mr. Loedy confirmed that to be true and said the grandparents work in the South and mainly come up to visit with their grandson. Mr. Angell asked when the building was built, and Mr. Loedy said he believed it was 1985. Mr. Angell further explained that based on code, this conversion may not be allowed for accessory apartments of a detached structure existing at the adoption of the chapter of zoning code. Mr. Hancock asked if the accessory apartment is bigger than the primary residence, but it is not, the primary residence is about 1600 square feet. Mr. Rolston asked if anyone on the Board knows

when the chapter of zoning code was adopted that applies to accessory apartments of detached structures, Mr. Angell said it was amended in 2012, but the other information is not available in the code book on hand. Mr. Angell asked if Mr. Loedy had researched if the building had to be in existence prior to the building code, and Mr. Loedy replied they had not. Mr. Angell asked about the setbacks and Ms. Nash pointed out the setback lines drawn on the map. Mr. Hancock asked if the accessory apartments need to be further away from the road than a primary residence, and Mr. Angell replied that is in regard to farm housing. Mr. Rolston asked what the planned use for the accessory apartment would be and Mr. Loedy said the grandparents would come up any time they like, but they do not plan to move up here. Mr. Rolston clarified that the use of an accessory apartment is aimed for seniors or individuals with special housing needs that will remain in the community of Stanford and live here permanently. Mr. Angell said the plan they are proposing is more suited for a guest cottage, but the code requires a minimum of 10 acres. Mr. Angell also suggested attaching the dwellings and Mr. Loedy said the buildings are too far away for that. Mr. Loedy said they assumed this project would have preceded the ordinance, but it seems that it does not. Mr. Angell said the other issue is that the purpose of the accessory apartment is to keep people in the community, it is not intended for visitors. Mr. Angell mentioned that the Comprehensive Plan that is in the works would loosen up the regulations for these types of projects, but it is still being worked on this year. Mr. Angell said he believes this project is a little beyond a variance. Mr. Loedy asked if it is mainly because of the purpose of the apartment because maybe the applicants would change their minds about how they would like the building to be purposed. Mr. Angell said yes, the purpose is an issue and then also when the building was built versus when the ordinance had been passed. Mr. Hancock said he is seeing issues with the square footage, the setbacks, the number of bedrooms, and then also if the property is to change hands would the building become a rental. Mr. Angell further explained that if the property did change hands, then it would become a zoning enforcement issue if it did become a rental property. Mr. Angell told Mr. Loedy if they review the project and make some changes they could present at another time. Mr. Hancock suggested using the extra space for storage to decrease the residential square footage. Ms. Nash addressed the setback issues by explaining that both the building secretary and Zoning Board chair said because the building is existing, they would not need a variance for the setbacks. Mr. Loedy stated he is disappointed that this building could go unused, and Mr. Angell told him to keep an eye on the Comprehensive Plan as it may affect what they can do with the building moving forward. At this time there was no recommendation made to the Zoning Board due to multiple concerns with the square footage, building use, and zoning code regarding detached accessory apartments.

### OTHER

Mr. Hancock motioned to approve the January 25, 2023 minutes as written. Mr. Rolston seconded. All in favor, Mr. Angell, Mr. Hancock, Mr. Rolston. Motion carried.

Mr. Rolston motioned to adjourn the meeting. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Hancock, Mr. Rolston. Motion carried. Meeting adjourned at 7:54 PM

Meeting recorded by Sara Knickerbocker