

Town of Stanford Planning Board Meeting

March 29, 2023

7:30 PM at Town Hall

Present: Thomas Angell (Chairman), Chris Flynn, Patrick Hancock, Brad Rolston, Ryan Weitz (Planning Board Engineer)

Absent: Will Moriarty

Meeting begins at 7:43 PM

BUSINESS

TIME EXTENSION FOR SPECIAL USE PERMIT: Vakhtang Buka Esvandija
134 Haight Hill Rd, Stanfordville, NY 12581

Mr. Esvandija presented. Mr. Esvandija requested from the Planning Board an additional six months on the previously granted Special Use Permit for a guest cottage. The project had been granted a six-month extension set to expire on March 28, 2023. Mr. Esvandija explained that the project had been delayed to due work on the main house, but still has plans to complete the guest cottage. Ms. Knickerbocker said the original Special Use Permit was granted in September 2022 and then an extension was granted about six months ago. Mr. Esvandija asked if after this second extension there are no more extensions. Mr. Weitz referred to the Town Code and said the Special Use Permit may be extended for up to one calendar year. Mr. Flynn motioned to grant the six month extension set to expire September 28, 2023. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Hancock, Mr. Rolston. Motion carried.

LOT LINE ALTERATION: Kate Alexis Lisman, Trustee & Maggine Ann Lisman Trustee, and Mill Lane Partners LLC: Spencer Hall
145 Hunns Lake Road & 14 Mill Lane, Stanfordville, NY 12581

Mr. Hall presented. Mr. Hall showed the map of the lot line alteration and explained that there are 2 lots, and Lot 2 owned by Mill Lane Partners has a piece sticking out adjacent to Lot 1 owned by Lisman Trustees. Mr. Angell asked if there is a house on the lot with the pond and Mr. Hall confirmed that there is. Mr. Hall explained that there used to be a road that cut back out to Hunns Lake Road on the property and the foot bridge and concrete bridge abutment are still there. Mr. Hall said the smaller lot is going from 2 acres to 1.66 acres, but the space they are losing is completely useless. Mr. Hall's associate explained that it is a 45-degree slope, and it levels out by the stream and is mostly wetlands. Mr. Angell asked if both lots have road access, and Mr. Hall said they do. Mr. Angell asked if there are any easements and Mr. Hall said there are not. Mr. Rolston asked if Mill Lane was a private road, and Mr. Flynn said it was a Town road. Mr. Angell asked if the existing creek was the previous boundary. Mr. Hall's associate explained the property line goes through the stream and at one point they may have done some work up to the stream. Mr. Angell deduced that Lot 2 probably had that piece sticking out to run

along the stream. Mr. Weitz mentioned the fact that there is additional acreage owned by the same owner, and asked if it is immediately adjacent, and Mr. Hall responded that some of it is. Mr. Weitz explained that lot line alterations need to be conforming, with the understanding there are existing lots, and further explained that there is an exception for non-conforming lots if there are adjacent lots owned by the same owner to create a conforming lot. Mr. Hall said he was not sure that would work because the adjoining lots may not be under the same ownership, some are Mill Lane Partners and others are not. Mr. Weitz said if there is not an adjacent lot to create a conforming lot then it would require an area variance. Mr. Weitz confirmed the lot would be 2.48 acres in 5 acre zoning with Mr. Hall and asked when it was subdivided. Mr. Hall said it would have been way back in the 1800's. Mr. Hall said Bangall does not have any lots within 1000 feet that are 5 acres. Mr. Weitz said Mr. Hall would need an area variance due to the size of the two lots, they are too small. Mr. Hall explained that he would go to the Zoning Board if needed, but thought it would be in the Planning Board's discretion since nothing is getting changed except 0.35 acres. Mr. Flynn motioned to classify the application as a Type II action minor subdivision lot line alteration. Mr. Rolston seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Hancock, Mr. Rolston. Motion carried. Mr. Weitz read Zoning Code 140-27, "Where the Planning Board finds that compliance with these regulations would cause unusual hardship or extraordinary difficulties to the applicant because of exceptional and unique conditions of topography, access, location, shape, size, drainage or other physical features of the site, the minimum requirements of these regulations may be modified upon specific request and by specific resolution of the Planning Board to mitigate the hardship, provided that the public interest is protected and the development is in keeping with the general spirit and intent of these regulations. The Planning Board may additionally modify the specific requirements of these regulations in situations where, due to the unique circumstances of a particular tract, strict application of these regulations would inhibit achievement of the Town's Master Plan objectives, provided that public health, safety and welfare are protected and the requirements of the Town's Zoning Law are wholly met." Mr. Weitz said the authority of the Planning Board is fairly vague. Mr. Angell said in the past these types of Bangall applications had been sent to the ZBA for area variance, but it is up to the Planning Board to discuss, and a resolution would have to be prepared. Mr. Rolston said that based on the language it would appear it would be a bit of a hardship based on the size of the lot and Mr. Hancock and Mr. Flynn agreed. Mr. Angell asked Mr. Hall if he would rather prepare the resolution, or have Mr. Weitz prepare it, then the Planning Board would need to collect escrow to cover Mr. Weitz's work on the project. Mr. Angell said Mr. Hall could prepare the resolution using the language in the Code Mr. Weitz read and the Board would review it. Mr. Flynn motioned to schedule a public hearing for April 26. Mr. Rolston seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Hancock, Mr. Rolston. Motion carried.

OTHER

Mr. Weitz provided updates for the ongoing Rocky Reef major subdivision that is expected to have a new full submission within the next couple of months. Mr. Martin had provided Mr. Weitz with a preliminary revised private roadway plan and Mr. Weitz provided informal comments for the applicant to address within their new submission for the private road regarding

grade, paving, access, and a maintenance agreement with the owners that currently use Aberdeen Lane. Mr. Weitz explained there is no deeded right for the other owners to use Aberdeen Lane, but the legality of changing the use is being worked through so the new lot owners will be maintaining the roadway. Mr. Weitz said the applicant is also working with the DEC for a stream culvert, and that will be part of the resubmission as well. Rocky Reef will be resubmitting once Mr. Weitz's comments have been addressed.

Mr. Weitz provided an update on a new application for a major subdivision at 729-731 Cold Spring Road. Mr. Weitz explained that the materials he received from Ms. Knickerbocker were not a complete application and so he could only provide pre-application conference comments. There is no map or plat to review at this point. This project would be an 8 lot subdivision on an existing flag lot. Mr. Weitz said parcel access showed approximately 78 feet of road frontage. Mr. Weitz raised a couple of questions for the applicant to address, including when the lot was originally subdivided to see if it can be subdivided further since flag lots subdivided after 2003 cannot be further subdivided. Mr. Weitz suggested finding the deed for the property, but Mr. Angell said that Mr. Hall was not able to locate a filed map from Dutchess County. Mr. Weitz said that the property would also have to meet road frontage requirements and Ms. Knickerbocker said that the applicant brought up that the road frontage may be less than 50 feet after surveying the property, but may be purchasing additional land from neighbors to get the right frontage. Mr. Weitz also explained that he would like to see the use be more clearly defined to fit the code as it is unclear if it is a recreational, educational, or agricultural use. Mr. Hancock questioned how involved the Club House would be and if it would include dining and social events, but it is unclear at this point. Mr. Weitz said another issue would be how the residential and agricultural access on the private road would be handled. Mr. Weitz said he is waiting for a formal submission based on his preliminary comments.

Corey Clanahan was introduced to the Planning Board as a new Town Board member and now the Planning Board Liaison to the Town Board.

February 22, 2023 meeting minutes will be approved at April 26 meeting.

Mr. Flynn motioned to adjourn the meeting. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Hancock, Mr. Rolston. Motion carried. Meeting adjourned at 8:19 PM

Meeting recorded by Sara Knickerbocker