

Town of Stanford Planning Board Meeting

January 31, 2024
7:30 PM at Town Hall

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

Absent: Will Moriarty, Eric Haims (Town Board Liaison)

Meeting begins at 7:30 PM

PUBLIC HEARING:

SPECIAL USE PERMIT: FAMILY CARE HOME: HOME OCCUPATION: BELLONE:
Karen Bellone 1640 & 1648 Bulls Head Rd, Stanfordville, NY 12581

Ms. Bellone provided the affidavit to Ms. Knickerbocker for the Poughkeepsie Journal legal notice as well as the certified receipts for neighboring properties. Mr. Murphy asked who was notified. Ms. Knickerbocker read the addresses that are 200 feet surrounding the parcel, Alexandra Koepfel, James McIntosh, Sharon Cobbs Old, Corinne Weber. Mr. Murphy, 1632 Bulls Head Road, said he did not receive a notice and his property is the Northern boundary of Ms. Bellone's property. Mr. Murphy asked the Board members if they had a copy of the letter that was supposed to be given out to the neighbors. Ms. Knickerbocker asked if there was a different letter, Ms. Bellone said it is the same as the legal notice from the newspaper. Mr. Murphy gave the Board a copy of the notice and asked the Board to read it. Mr. Murphy said the agenda for this meeting is not the same and said the application is not the same. Mr. Murphy asked who's responsibility is it to give the information on the notice and Ms. Knickerbocker replied it is she. Mr. Murphy asked if it was proofread and Ms. Knickerbocker said she did review it. Mr. Angell said the Board would welcome comments regarding the application and lack of proper notice, but they are not going to do question and answers. Mr. Murphy said on January 28 Ms. Koepfel had called him to say she received a certified letter and he thought it was a joke because there was heading and it was just the letter that he showed the Board. Mr. Murphy looked up the law and then went to the website on the notice, then he asked if any of the Board members had been on the website. Mr. Angell reminded Mr. Murphy that the public hearing is for comments. Mr. Murphy said the property was formerly used as an Air BnB. Mr. Murphy asked if he was taking in a neighbor who was dying or really sick would he need to get a special use permit. Mr. Angell reminded Mr. Murphy that the Board is not providing legal advice and they will gladly listen to comments. Mr. Murphy wanted clarification why the Special Use Permit is being issue. Mr. Murphy said the application is signed but never dated. Mr. Angell asked Mr. Murphy if he had a position on whether the permit should be granted. Mr. Murphy replied that it he does not believe that things are not being done in accordance and that the

website reflects a different view on what she plans to do and that the State needs to be involved if you are going to run Hospice and needs to be inspected. Mr. Murphy said he does not believe it belongs where they are at, and it is a stepping stone to something else and the website indicates that. Ms. Burton asked if Ms. Bellone could make a presentation. Ms. Bellone spoke. Ms. Bellone said that it is not Hospice, and there is nothing more going on here than her coming to let the Town know that they are making a space in the community for accessible care if somebody needs it. Ms. Bellone clarified that there will be no additional building and it will be within the existing home that she has. Ms. Bellone said in the state of New York she is permitted to have up to 2 beds for the dying. Mr. Murphy clarified if she is allowed to do that. Ms. Bellone said yes, if the Board gives her a special use permit. Ms. Bellone said it is a requirement for Stanford, but doesn't need County approval because they are not running a Hospice. Mr. Murphy asked why it is on the website, to which Ms. Bellone replied that she does not have anything to do with Hospice, but Hospice could come to serve these people just like they could come to you in your home, it is the same exact principle, we work with Hospice, but are not Hospice. Mr. Murphy asked if Hospice gives any kind of monetary contribution, and Ms. Bellone replied no, they are a non-profit and volunteer driven. Ms. Bellone said the first person to potentially be in that home could be her own father and you might not even ever have known. Ms. Burton asked if we could let Ms. Bellone just explain what she is trying to do. Mr. Murphy asked who she was and Ms. Burton said she is not here as a Town Supervisor, she is here as a person, but would like to hear what Ms. Bellone has to say. Mr. Murphy expressed that he was confused when he looked at the website because of the difference between that and the notice and the agenda. Ms. Bellone said they are not a medical Hospice, and we are part of a movement in community in death care because there are not places to be at times when it is your own family members or someone you love or someone in your community. Ms. Bellone further explained that they are part of the Omega Home Network, there are 40 in New York State, they are a service for the community. Ms. Bellone told Mr. Murphy that they have been neighbors for 4 years and there have not been any problems. Mr. Angell said there would be more chances to speak when the Board gets to the business portion of the agenda. Ms. Koepfel, 1643 Bulls Head Rd opposite of Ms. Bellone's property spoke. Ms. Koepfel said while there is no doubt that Ms. Bellone's intentions are noble, this is a commercial business enterprise on a 2.5 acre residential zoned property. Ms. Koepfel said her concern would be the increase in traffic this kind of care would entail. Ms. Koepfel said specifically emergency vehicle bringing the dying to the home, around the clock care of workers on shift coming to and forth the home, cleaning services, family and friends visiting, emergency vehicles to remove the deceased when they pass. Ms. Koepfel said Ms. Bellone has anticipated the increased traffic and expanded her driveway to have a carpark that can now hold ten cars. Ms. Koepfel said Ms. Bellone is also running events and that the website says "if you are in a community that could benefit from us running an event please reach out. We provide awareness events with the intention to create a safe space to have information shared and questions answered as we openly discuss death and dying in our community and culture. Ms. Koepfel asked how big are these events and would they require permits because Ms. Bellone is advertising to the entire Hudson Valley area. Ms. Koepfel said Ms. Bellone is also running Air BnB out of her home, and said that short term rentals under 30 days require special registration as of September 2023 in New York and that Ms. Bellone has been doing short term rentals since

2022. Ms. Koepfel said that Ms. Bellone has purchased a 10 acre wetland parcel adjoining her property and it is not clear what she intends to do with this space, but perhaps she plans on expanding her event space, creating more Air BnBs, or increasing her Hospice beds. Ms. Koepfel said that this is a residential property nestled among other residential properties on a residential road, the increase traffic is not appropriate on this road. Ms. Koepfel said that there is also State mandated licensing for anyone caring for the dying, Hospice or otherwise, under Section 792.1 a certificate of approval of the actual dwelling is required, a certificate from the Commissioner under Article 40 of Public Health Law, Title 18 of the Social Security Act. Ms. Koepfel said Ms. Bellone's application is not dated and does not indicate anywhere that she has the authority from the Commissioner to run this, and is licensed or her caregivers are licensed. Ms. Koepfel asked if the Board would really want to approve this application to find out later that she is not licensed or have the proper certification to do this work, and even if she is licensed, is this an appropriate use in a residential property to run a commercial enterprise, Ms. Koepfel said she did not. Mr. Hancock asked which Commissioner Ms. Koepfel was referring to, and Ms. Koepfel said New York State Public Health. Ms. Koepfel said the website shows that there are 6 consecutive Sundays in February that she will be holding an event for training, but does not say how big the events will be. Ms. Koepfel said the point Mr. Murphy was trying to address was that he is the property adjacent to Ms. Bellone and did not receive notice and was not on the list of notices. Ms. Weber, 1665 Bulls Head Rd, asked if this had been discussed at previous meetings and if the minutes had been posted. Mr. Angell and Ms. Knickerbocker replied yes, the July minutes had been posted, but the November meeting minutes had yet to be approved since there was no December meeting, and will be up for approval tonight. Ms. Weber asked if they could have a copy tonight, so Ms. Knickerbocker made copies of the November minutes for the public. Ms. Burton, 628 Hunns Lake Rd, spoke as a citizen. Ms. Koepfel started to say that because Ms. Burton is the Supervisor and the Board reports to her, but Mr. Angell clarified that the Board does not report to her and they have their terms they serve, that they cannot be fired, and there would be an entire process to remove any of them. Ms. Koepfel asked if Ms. Burton serves on the Board and Ms. Burton clarified that she is the Town Supervisor. Mr. Angell explained that the Town Board appoints Planning Board members and they do not serve at the pleasure of the Town, we serve for a term, and they cannot decide that tomorrow you cannot serve anymore, there would have to be cause and a hearing. Ms. Burton said she heard about Ms. Bellone's project for over a year and thinks it is a wonderful addition to our Town and wonderful resource for people that have people that are dying and can't take care of them themselves. Ms. Burton said she was very lucky that her job allowed her to take off 4 months of paid leave to care for her mother and it was an incredible and meaningful experience, but not everyone has the ability to do that. Ms. Burton said that her and her husband have wondered if one of them is dying if they would be able to care for each other in their home, so from a place of compassion, she cannot think of anything better to be going into a residential neighborhood. Ms. Burton said the Seventh Sense has held workshops in other towns to educate people about dying at home and services that they provide. Ms. Burton said she was not sure if all the events were to take place at her residence or if she can go to other homes or community centers, and that the event law is currently 3,000 people, so that should not be an issue either way. Ms. Burton said she wanted to express her support for this project and other compassionate caregiving in our

community. Ms. Burton said this little 2 bed care center is a good start and urges the Board to move forward with this project. Ms. Weber asked what the current criteria for issuing a special use permit. Mr. Angell said the special use permit regulations are in the Town Code and accessible to everyone, he added that this is a Home Occupation that they are considering. Mr. Burns on 186 Charwill Drive spoke. Mr. Burns said he is very much against commercial operations in residential neighborhoods, but what they are talking about here is a very personal thing to talk about. Mr. Burns explained that his youngest brother was in a motorcycle accident that left him paralyzed from the head down in 1995 and now his dad who is 87 is his caregiver and lives with the brother. Mr. Burns said this seems like this is a very good service for the Town, especially thinking of his own family circumstances with his brother's health deteriorating and his father being 87 struggling to clean and feed him. Mr. Burns said it would be nice to have a nice, comfortable place nearby in Town for his dad while he and his sister figure out how to take care his brother or vice versa. Ms. Descoteaux, 89 Haight Hill Rd, said that her father-in-law passed away in Hospice when her son was 1.5 years old, was able to bring all the dogs, some family members, maybe 3 cars total, and was about 25 minutes away from where he grew up in Maine. Ms. Descoteaux said her elderly neighbor Mr. Knapp's nearest Hospice would be over 30 minutes away in Poughkeepsie, and said she knows quite a few people that would be advocating for aging in the community because they are from here and live here and this is what they know. Ms. Descoteaux pointed out that there is horse rescue equine organization almost next door to Ms. Bellone's property that offers compassionate care to horses in their dying days, so she supports the project from having a positive experience with care for the dying, knowing he was at peace after spending weeks in the hospital beforehand and was basically released to die. Ms. Magarno, 84 McGhee Hill Rd, spoke about she believes the true measure of a community and society can be taken how it treats its most vulnerable. Ms. Magarno expressed that we all share a commonality in death, but do not all die surrounded by loved ones or the care of a community. Ms. Magarno said what is being provided here is a sacred witnessing, a sacred space, a service, an honoring, a calling of the highest kind of help. Ms. Magarno asked how we could be prejudicial to the dying and why do we fear fates that we too will walk, why do we hide it away, why do we not want to see it in our own backyards, are we all not worthy of dignity and witnessing. Ms. Magarno said that she had cared for her dying father, and as a person with no offspring she wonders who will care for her. Ms. Magarno said Ms. Bellone and her team are highly respected within conversations around consciencely and intergriously dying, not just within this community but in the county, they are professional and bring cutting edge conversations to these topic, and has attended their event at a community center in Red Hook and highly supports the project she is undertaking. Mr. Kistner, 1591 Bulls Head Rd, found out about the meeting and had a long talk with Ms. Burton about the safety of Bulls Head Road. Mr. Kistner said he has no issues with this project at all, but stated that Bulls Head Road is a wreck waiting to happen with the traffic, people pulling in and out of driveways, and the horse farm where a horse could get hurt. Mr. Kistner said there have been several bad accidents on Bulls Head Road and in order for projects like this to happen, something has to change. Mr. Kistner said he was told by the County that there are not enough tragedies to make a change, but he would like to see changes in speed limits, signs, and double yellow lines. Ms. Koepfel read from the November 29, 2023 minutes an excerpt "Ms. Bellone explained that Hospice is essentially a

mobile service that is provided to people that are 6 months or less to dying and medicalized, where a home for the dying is so the patient can essentially die at home and have hospice tend to them if they have that service.” Ms. Koepfel said that in Ms. Bellone’s own words it is more than just a home for the dying, if they have Hospice that she would agree to have them come to her. Ms. Koepfel said she has heard the testimony of all the people here tonight and agrees it is a very noble cause, but it is a commercial enterprise happening on a 2.5 acre zoned residential property. Ms. Koepfel said that Mr. Kistner pointed out that it is a very busy road already and is an accident waiting to happen, and if this Hospice service is entertained, is Ms. Bellone complying with all of New York State’s rules and regulations to offer this service, does the Board want to oversee that she is complying. Ms. Koepfel said she did not think this project is what this residential community is up for. Ms. Koepfel said that yes, this is an important service for a commercial zoned property, not a residential zoned one. No further comments from the public. Mr. Flynn motioned to close the public hearing. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Rolston, Mr. Hancock, Mr. Flynn. Motion carried.

LOT LINE ALTERATION: HUGHES: John Hughes

6257 Route 82, Stanfordville, NY 12581

Mr. Angell asked if Mr. Hughes had provided Ms. Knickerbocker with proper notice for the public hearing. Mr. Hughes said that Mr. Hall had dropped off a packet, but the packet did not contain an affidavit of notice. Ms. Knickerbocker said she had emailed the notice materials to Mr. Hughes on January 4. Mr. Angell said the public hearing will need to be adjourned. Mr. Flynn motioned to adjourn the public hearing February 28. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Rolston, Mr. Hancock, Mr. Flynn. Motion carried.

BUSINESS:

SPECIAL USE PERMIT: FAMILY CARE HOME: HOME OCCUPATION: BELLONE:

Karen Bellone 1640 & 1648 Bulls Head Rd, Stanfordville, NY 12581

Ms. Bellone presented. Ms. Bellone said that the parking area at her home has been the same since she bought the house, she has not done any extensions, that was done by the people that bought her house and flipped it and sold it to her. Ms. Bellone said the events that they are holding, some have been held in her home for the last year or so, there is no more traffic coming in and out of her house than if she had friends or colleagues coming over, there is nothing that is going to impact the traffic Bulls Head Road. Ms. Bellone agreed that Bulls Head Road should be more safe. Ms. Bellone said the other events they hold are held at Town Community centers like the library and are educational to bring the community together and understanding death. Ms. Bellone said there is not enough care in our world for this, and it is very much lacking and would like to make a difference on this level, it is supposed to be a service for the community, not to divide the community. Ms. Bellone also said that there is general misconception about Hospice

care, she said it is a mobile service and it comes to you, along with nurses, spiritual care advisors, social workers, and this can be at your home, hospital, wherever you are, and Ms. Bellone said all the legal things that Ms. Koepfel pointed out have nothing to do with her because she is not a medical care provider, she is an end of life doula that provides comfort, care, and compassionate to make the transition that all people will make one day. Ms. Bellone said there will be no increase in traffic, no additional building. Mr. Rolston confirmed that Ms. Bellone will be living in the home and that the home occupation will be an incidental use to residential use and will be limited to two beds. Mr. Rolston asked Ms. Bellone's experience with the type of traffic that would be involved with this, including emergency vehicles, and Ms. Bellone explained that an ambulance would only be necessary if a person is not ambulatory, and there could be visitors or family members staying with them, there will be volunteers there as part of 24 hour care. Ms. Bellone said she has not had a person in her home yet in this manner, but have been conducting her classes and vigil circle training, so the traffic pattern may be similar to how it is now and it has not caused any more traffic than anyone else that would have people coming and going. Ms. Bellone said the main house has 2 bedrooms and the guest house is one bedroom. Mr. Hancock read Part II of the Short Environmental Assessment Form. All questions, except #2, "Will the proposed action result in a change in the use or intensity of use of the land" were answered "no, or small impact." Mr. Angell, Mr. Flynn, Mr. Rolston, all agreed that #2 should be "no, or small impact" as well and the correction was made. Mr. Hancock read Part III of Short Environmental Assessment Form. It was determined 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." Ms. Knickerbocker read the resolution establishing the Town of Stanford Planning Board as lead agency and determining that the 1640 Bulls Head Road Family Care Home, Home Occupation, Special Use Permit is an unlisted action and will not have a significant adverse impact on the environment. The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows: Thomas Angell, yes, Chris Flynn, yes, Bradley Rolston, yes, Patrick Hancock, yes, William Moriarty, absent. The foregoing resolution was thereupon declared duly adopted. Mr. Rolston motioned to approve the special use permit. Mr. Flynn seconded. All in favor, Mr. Angell, Mr. Rolston, Mr. Hancock, Mr. Flynn. Motion carried.

MAJOR SUBDIVISION: COOK & BLODGETT: Ernie Martin

6909 Route 82, Stanfordville, NY 12581

Mr. Martin presented. Mr. Martin explained that he had been in conversation with Mr. Weitz, and Mr. Quartararo and Mr. Butts, the attorneys, had been speaking. Mr. Martin said since in the last month they have provided the Town with the appropriate changes to the map and the attorneys have the roadway maintenance agreement almost complete. Mr. Martin has the preliminary plat submitted and would like to schedule a public hearing for next month. Mr. Angell said a new amended application was submitted so the Board needs to classify the application. Mr. Rolston motioned to classify the application as a Conservation Density Subdivision, Major Subdivision. Mr. Flynn seconded. All in favor, Mr. Angell, Mr. Rolston, Mr. Hancock, Mr. Flynn. Motion carried. Mr. Weitz said when the project originally came in a number of years ago, it was classified as an unlisted action due to the disturbance, but it is in an Ag district therefore under Type I classification under SEQR, it reduces all thresholds to 25% of what otherwise would be required. Mr. Weitz explained that the road and stormwater design has put the disturbance above 2.5 acres of land disturbance and triggers Type I classification which

requires a full environmental assessment form as opposed to the short form (SEAF) and also requires a coordinated review be completed with any involved agencies, including permitting, funding, approving agencies. Mr. Weitz provided the Board with a resolution for intent to act as Lead Agency and the applicant must circulate the full environmental assessment form to all other involved agencies. Mr. Weitz said these agencies will have 30 days from when the letter is sent out to contest the lead agency request, if there is no response the Board is designated by default. Mr. Weitz said the agencies that would be involved are the Town Highway Department and the Department of Environmental Conservation. Mr. Rolston asked how long does it typically take to get a response from the DEC. Mr. Weitz said that sometimes agencies will never respond, to which Mr. Rolston asked what if they should wait longer than 30 days. Mr. Weitz explained that they discussed with the applicant that the Highway Department should be responsive, and the applicant already has a permit with the DEC, so they have a point person that they can have fill out the form. Mr. Weitz said they will need an affirmative response from the DEC and Highway Department. Ms. Knickerbocker read the resolution declaring the intent of the Town of Stanford Planning Board to act as lead agency. Mr. Flynn motioned to adopt the resolution. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Rolston, Mr. Hancock, Mr. Flynn. Motion carried. Mr. Rolston motioned to schedule a public hearing for the preliminary plat on February 28, 2024. Mr. Flynn seconded. All in favor, Mr. Angell, Mr. Rolston, Mr. Hancock, Mr. Flynn. Motion carried. Mr. Weitz explained that there are some minor engineering adjustments that need to be made and then the applicant can submit a completed plat for the February 28 meeting. Mr. Weitz said the Board will have to formally act upon the requested waivers and he said the attorney has worked them into the resolution on the preliminary plat. Mr. Weitz said the Board will also have to do Part II and III of SEQR and then can decide to approve the preliminary plat with or without modifications, such as notes being added like filing the plat. Mr. Weitz said once the preliminary plat is approved, the applicant will have to submit a final plat and meet the requirements outlined in the Code. Mr. Weitz said another public hearing would be held, but the Planning Board can opt to waive the final plat public hearing. Mr. Weitz also said the applicant will need to get all the necessary permits. Mr. Weitz explained that the applicant has obtained the permit from the DEC, they also need one from the Town Highway Department for the work on Old Conklin Hill Road, but this could be a conditional approval for when they are ready for construction, and the last permit would be from the Army Corps for the stream crossing, and they need to determine if it is still required. Mr. Weitz clarified that the permits would be needed for the final plat approval not the preliminary plat. Mr. Angell asked if the roadway agreement is complete, and Mr. Quartararo said it is. Mr. Quartararo clarified that the notes for no further subdivision and the no access to the two lots on Aberdeen Lane are already on the preliminary plat. Mr. Weitz said Mr. Butts will do a final review on the notes. Mr. Angell suggested that if it gets to be within 10 days of the February meeting and there are outstanding items that he be notified. Mr. Weitz said he will schedule a meeting with Mr. Butts, but it is open for any Board members to attend. Mr. Weitz said he would be giving the lead agency information to the applicant and Ms. Knickerbocker will provide the public hearing notice to Mr. Martin. Ms. Knickerbocker asked what the requirement is for neighboring properties on a subdivision. Mr. Weitz said according to the Town Code for subdivisions a notice must be in a circulation at least 5 days before the scheduled meeting. Mr. Angell asked about surrounding properties, and Mr. Weitz said special use permits notice are for adjoining neighbors, but not required for subdivision. Mr. Angell said he would talk to Mr. Butts about notifying neighbors.

PRE-APPLICATION CONFERENCE

LOT LINE ALTERATION: MORISI

3054 Salt Point Turnpike, Clinton Corners, NY 12514

Mr. Morisi presented. Mr. Morisi explained that he has about 44 acres and has an easement with his neighbor that runs through her property. Mr. Morisi asked the neighbor if she would be willing to sell 3.5 acres of her parcel, to which she had said that she would be willing to swap acreage to give herself more depth on her parcel and expressed interest in trading equivalent areas. Mr. Morisi said the 2 lots are in different zoning districts, the AR and RR and asked if that would cause issues. Mr. Angell said it would not cause issues, because it would not change the classification of the application. Mr. Angell said it would be a lot line alteration. Mr. Morisi clarified that he would get a survey and apply for a lot line alteration, which the Board agreed that would be his next step.

OTHER:

Ms. Knickerbocker mentioned that the 4 Old Anson Way application wants to defer the public hearing until they hear back from the Health Department on a few more items.

Mr. Flynn motioned to approve the meeting minutes from November 29, 2023. Mr. Rolston seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried.

Mr. Flynn motioned to adjourn the meeting. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock. Motion carried. Meeting was adjourned at 9:05 PM.

Meeting recorded by Sara Knickerbocker