TOWN OF STANFORD TOWN BOARD  
TOWN BOARD MINUTES

SEPTEMBER 12th, 2024

The Town of Stanford Town Board met for their monthly meeting on Thursday, September 12th, 2024, at the Town Hall. Supervisor Burton called the meeting to order at 7:00 PM with the Pledge of Allegiance.

This meeting was dedicated to the memory of Dave Tetor who was the Town’s Supervisor twice, and his son’s Brian and Eric were here to speak about their father. Eric Tetor said that his family had moved here in 1974 and he fondly remembered the ballfields and the Rec. He stated that his dad was always all about the community, was an agricultural agent for the Cornell Cooperative Extension and served for many years as Supervisor. He remembers his father enjoying the ’93 Bicentennial festivities that we had then, and loved being in this town.

Supervisor Burton also added that last year was the 23rd anniversary of the Sept. 11th attacks, our generation’s “a day of infamy” and asked for a moment of silence to remember the remarkable bravery of those there and to thank our Fire Company for their display to honor those fallen heroes.

Roll call: Wendy Burton – present

Julia Descoteaux – present

Eric Haims - present

Nathan Lavertue – present

Theodore Secor - present

Also in attendance was Town Attorney Robert Butts.

MOTION TO APPROVE AGENDA: Wendy Burton made a motion to accept the agenda with the addition of a tax certiorari resolution and a letter from the Lions Club, seconded by Nathan Lavertue. Motion carried with all present voting in favor.

LIAISON REPORTS: Councilman Secor said that the Climate Smart Community Task Force would be meeting this coming Monday at 6:30 PM at the Town Hall, and would be having a Community Day booth with a composting project for kids. The ZBA met last month with agenda items being Rathjen’s nursery as an accessory use, as well as a public hearing for a Hunns Lake Road resident’s setback issue to his own property. Last night, the ZBA passed a resolution to accept Rathjen’s nursery as an accessory use, and a variance was granted for a shed at 122 Hunns Lake Road. Another order of business was for the ZBA to grant an extension to a past variance so that they could finish their project. The Haunted Fortress has had no meetings but they have been busy every Sunday with preparations for the October opening. Make-up, volunteers etc. are needed as well as for the ticket booth, for food and anything else that might be needed, and will soon be handing out flyers advertising the event, open all Fridays, Saturdays and Sundays in October.

Councilman Haims reported that the Planning Board does not meet in August but will meet on Sept. 25th with 2 public hearings.

Councilman Lavertue reported that the Rec. Commission met last night: the 3 – 5 yr. old soccer program has 40 children signed up, the annual Truck or Treat will be on October 25th with registration requested. The “recipes for kids” will be held again for Halloween, Thanksgiving and the December holidays, as well as having a “toddler rave” in January and February. Just as a point of information, the Rec. pavilion was rented every weekend this summer so they are working on a new process for the rentals with rules, hours, etc.

Councilwoman Descoteaux spoke of the CAC meeting last night: they will be having a booth at Community Day with information about invasive species; the Natural Resource Inventory project will have a presentation by Hudsonia, and will discuss the expansion of the current CEAs as well as adding the Wappinger CEA which is near the Town salt and sand storage area\, and the Millbrook School’s expansion near a marshland. The Iroquois Pipeline matter will be discussed later in the meeting by CAC vice-chair Curtis DeVito.

Supervisor Burton discussed the Fire Commissioners meeting from last month were they have added a “privilege of the floor” agenda item, and they discussed LOSAP, a retirement program for volunteer firefighters, and their budget workshop will be on Sept 17th. For the month of July, they responded to 12 fire calls, 2 EMS and 2 auto accidents. The Zoning Commission continued their discussion about keeping Stanford a farm friendly community. For her financial report, she stated that she had given the Board members three payroll verifications and the monthly bank reconciliation. For the Town’s budget report, the revenues were looking good but the mortgage tax had been a concern even though the projection was cut by half, but we’re getting close to it. Some revenue lines were above expectation, such as the Clerk’s dog license fees. We will have a minor budget adjustment resolution later on in the meeting. The Accessory dwelling unit law draft is still being discussed as a work in progress, with a public hearing for October 10th.

PRIVILEGE OF THE FLOOR:

Robert Byrnes, Charwill Drive – thanked the Board for the moment of silence in honor of 9/11 as he was proud of his brother who responded but now has serious health issues. Regarding the ZBA’s Rathjen decision last night, he has had two desist orders over the last year for the landscape business with many trucks and material, then last year he was determined to be a nursery. He said his inventory included 600 hydrangeas but even large scale nurseries in the area carry only 300. The Article 78 brought the ZBA to court but it was decided that it was a ZBA decision. The desist order did not cover a nursery but he is still in a hardscaping business and will bring evidence next month.

Martina Deignan, 122 Shelley Hill Road – summarized a letter she had written regarding the proposed accessory dwelling unit law, and stated that she doesn’t understand the impact of changes over time with no guardrails over these future dwellings; wondered about the need for this revision to the zoning code; the issue of setbacks matching what is now in place; limiting the size of ADUs as compared to the original building; consider the short term rental provisions to limit their numbers; consider a developer having one house and then adding two more by tearing down the original structure which would increase density and take away our rural character. Please move cautiously. Supervisor Burton stated that the Board is working on a short term rental local law that will limit numbers, and there will be specific regulations, fees, inspections, etc.

Doug Kirchner, 122 Shelley Hill Road – handed a letter from their neighbors Erinn McGurn and Guy Baron at 101 Shelley Hill Road to the Town Clerk for the Board regarding the proposed accessory dwelling units.

Johanna Shafer, 21 Decker Road – was glad to hear about the short-term rental. She had two questions, 1) pre-existing structures, and 2) hoping that everyone knows about it because they don’t read legal ads. Ms. Burton said that they Town cannot get a list of people from the County without having a law but briefly discussed the STR matter and AirBnBs.

Bud Barnes, 155 Shelley Hill Road – echoed Martina & Doug’s comments about the ADUs and submitted a letter as well. He said that it a noble cause but not helping affordability of housing; it would shrink farmland and relaxed zoning is not fair to residents to shrink the zoning and you’re losing the peace and quiet of your home.

NEW BUSINESS:

1. RESOLUTION TO SATE DOT FOR SPEED STUDY OF ROUTE 82: The following resolution was offered by Nathan Lavertue, seconded by Wendy Burton, as follows:

**RESOLUTION #9B OF 2024**

**TO PETITION THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND THE DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS TO CONDUCT A SPEED AND SAFETY ANALYSIS ON ROUTE 82 THROUGH STANFORD**

**WHEREAS** the Town of Stanford Town Board has received numerous requests from Town residents along the New York State Route 82 (NY 82) to reduce the posted speed limit from the intersection with Salt Point Turnpike traveling north to the intersection with Millis Lane, and

**WHEREAS** the posted speed limits were implemented at time when there were less businesses, less residential driveways and less traffic in general, and

**WHEREAS** the posted speed limit, when observed, still present a safety issue to drivers and pedestrians, and

**WHEREAS** the town continues to see increasing traffic defined as heavy duty and/or excluded from accessing the Taconic State Parkway (TSP), and

**WHEREAS** in June 2022, Director of Engineering for Dutchess County Dept. of Public Works (DCDPW), Matt Dutcavich agreed the intersection of NY 82, Dutchess County Road 19 (DC 19, Bulls Head Road) and Church Lane is a “tough intersection” which could use either modernized striping, reconfiguration using a “road diet”, a full realignment or closure of Church Lane, and

**WHEREAS** Nathan Lavertue and Chris Drago met with the DCDPW Deputy Regional Director in July 2024 to discuss the unsafe surface conditions along NY 82, and

**WHEREAS** the Town of Stanford procured two Radar Feedback Sign to act as deterrent for speeding vehicles appears to have a limiting affect.

**NOW THEREFORE BE IT RESOLVED**, the Town of Stanford Town Board respectfully requests the New York State Department of Transportation and Dutchess County Department of Public Works to conduct a speed and safety analysis at their cost along NY 82 in Stanford understanding the goal of the Town is to reduce the current posted speed limits of 55 mph to 45 mph and 40 mph to 35 mph and provided experience considerations and recommendations with regards to the intersection of NY 82, DC 19 and Church Lane.

The foregoing resolution was voted upon with all Board members voting as follows:

Wendy Burton, Supervisor – Yes; Julia Descoteaux, Councilwoman – Yes; Eric Haims, Councilman – Yes; Nathan Lavertue, Councilman – Yes; Theodore Secor, Councilman -Yes.

Certified this 12th day of September 2024 by the affirmative votes of the Town of Stanford Town Board members present. *Ritamary Bell, Town Clerk*

Mention was made that this request was originally made in 2017 and it was turned down by the State.

2. RESULTS OF SUMMER CAMP SURVEY: Rec. Director Lauren Osterman sent out a survey to families in Town regarding the possibility of having a summer camp for children in 2025. Rec. Commission member Charlotte Haims spoke to the Board that this is something the Commission has been thinking about for several years. The survey was answered by 90 people and received a very positive reaction. Stanford might be one of the few towns without a summer camp, and is hoping that the Town Board adopts the plan. The camp would be held for four weeks during the month of July 2025, 9 AM to 3 PM, or 4 PM, for kindergarteners and up. Supervisor Burton was very happy that the Rec. Commission was being pro-active and after having built the playground, was continuing to enhance recreation opportunities for kids and families. Mrs. Kaims added that the camp would not just be limited to residents but that non-resident s would pay an extra fee. The majority of the cost, minus perhaps $2,000, would be covered by the camp revenue.

3. LOCAL LAW #2 OF 2024 – ACCESSORY DWELLING UNITS – SET PUBLIC HEARING: Attorney Butts stated that there were a few minimal changes made after the last public hearing and were discussed at the Board’s workshop: dimensional standards and setbacks, use table clarified, and ADUs to have a fully functional stovetop/range. The changes need to be re-introduced and a new pubic hearing, as well as being re-circulated to the County Planning Department and the Town Planning Board with responses due by the October Town Board meeting. He added that this law will replace the guest cottages law.

The following resolution was offered by Julia Descoteaux, seconded by Wendy Burton:

**RESOLUTION #9C**

**TOWN OF STANFORD**

**LOCAL LAW NO. 2 FOR THE YEAR 2024**

**A LOCAL LAW ALLOWING**

**ACCESSORY DWELLING UNITS IN ALL ZONING DISTRICTS**

At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 12th day of September, 2024, at 7:00 PM, Town Supervisor Wendy Burton called the meeting to order. Councilperson Julia Descoteaux, seconded by Supervisor Wendy Burton, moved the following resolutions:

**WHEREAS,** a Local Law to amend the Town’s Zoning and Subdivision Codes to provide for accessory dwelling units in all districts, known as Proposed Local Law No. 2 of 2024, was introduced at a meeting of the Town Board held on June 13, 2024; and

**WHEREAS**, at the June 13, 2024 meeting and in connection with the proposed Local Law, the Town Board declared itself Lead Agency for purposes of SEQRA for this Type 1 action; and

**WHEREAS**, at the June 13, 2024 meeting and in connection with the proposed Local Law, the Town Board adopted and authorized circulation of a copy of Part I of the Full EAF pursuant to the requirements set forth in 6 NYCRR Part 617; and

**WHEREAS**, the proposed Local Law, with Part 1 of the Full EAF, was referred to the Dutchess County Department of Planning and Development for an advisory opinion pursuant to New York General Municipal Law §239-m and the Dutchess County Department of Planning and Development provided its response without comment stating it was a “matter of local concern;” and

**WHEREAS**, the proposed Local Law, with Part 1 of the Full EAF, was referred to the Stanford Planning Board for its recommendation pursuant to section 164-56 of the Town Code, and no comment was received from the Planning Board; and

**WHEREAS,** a properly noticed public hearing was held before the Town Board during the meeting on August 8, 2024, on the proposed Local Law; and

**WHEREAS**, various comments from the public pertaining to the proposed Local Law were heard at the above-referenced August 8, 2024 meeting; and

**WHEREAS**, minor revisions to the proposed Local Law were made pursuant to those comments; and

**WHEREAS**, the proposed Local Law to amend the Town’s Zoning Code to provide for accessory dwelling units in all districts, as revised, is now re-introduced pursuant to New York State Municipal Home Rule Law section 20 and eventual adoption pursuant to Chapter 164, Article XI of the Town Code and Sections 264 and 265 of the New York State Town Law;

**NOW, THEREFORE, BE IT RESOLVED,** that following proposed Local Law, as revised, is hereby re-introduced, to be known now as Proposed Local Law No. 2 of 2024, entitled “A Local Law Amending Chapters 140 and 164 of the Town Code to Allow Accessory Dwelling Units in All Zoning Districts,” to read as follows:

BE IT ENACTED by the Town Board of the Town of Stanford as follows:

**Section 1.** Legislative Intent. Chapter 164 of the Town of Stanford Town Code contains the Town’s regulations with respect to Zoning. The Town Board has determined that it is in the best interest of Town to allow one (1) Accessory Dwelling Unit per lot in all zoning districts and in compliance with certain requirements which are the subject of this local law, as well as streamline the Town Code to consider Duplexes, Guest Cottages, and other Accessory Dwellings as Accessory Dwelling Units as defined in this local law. The Town Board now wishes to update the Chapters of the Town Code entitled “Zoning” and “Subdivision” accordingly.

**Section 2.** Supplementary Use Regulations for Accessory Dwelling Units. A new section "**§164-19.5 - Accessory dwelling units (ADU)**", shall be added to the Zoning Law as follows:

§164-19.5 Accessory Dwelling Units (ADU).

Purpose. It is the intent of this section to allow one (1) Accessory Dwelling Unit per lot, only in compliance with this Section 164-19.5 and issuance of an Accessory Dwelling Unit permit from the Building Inspector. Accessory Dwelling Units may provide the following benefits:

Increase the supply of rental housing in the Town;

Encourage the creation of alternative long-term housing that may meet the needs of persons seeking a smaller dwelling unit; and

Encourage a more efficient use of existing housing stock.

Zoning districts. An Accessory Dwelling Unit, as defined in §164-59, is permitted in all zoning districts in conformance with this section and all other applicable sections of the Zoning Law.

Eligibility; attached or detached Accessory Dwelling Unit.

An Accessory Dwelling Unit may be a new structure or constructed by addition to the single-family dwelling or by conversion of an existing structure or building located on the same lot as the principal dwelling.

No detached Accessory Dwelling Units shall be allowed in the absence of a separate, principal single-family detached dwelling, which shall be deemed to be the primary use of the premises. A detached Accessory Dwelling Unit shall be required to meet the same setback requirements as an accessory structure in the zoning district in which it is located. Nothing contained herein shall preclude the granting of setback variances, subject to the approval of the Zoning Board of Appeals.

Once created, the Accessory Dwelling Unit may not be subdivided from the principal dwelling.

Standards. The following standards shall apply:

DOH approval. The principal dwelling and Accessory Dwelling Unit shall be in full compliance with the standards of the Dutchess County Department of Health. An applicant seeking an Accessory Dwelling Unit permit shall obtain approval of all sanitary sewer or septic systems and water systems from the Dutchess County Department of Health. Lack of an approval from the Dutchess County Department of Health shall constitute a basis for disapproval of an Accessory Dwelling Unit. The Building Inspector may require the Town Engineer to review the application to ensure that the septic and well are able to serve the dwellings adequately.

Well. A water quality test shall be performed by an independent individual or entity, qualified to conduct such tests and submitted to the Building Inspector to determine that the water supply is safe for domestic use and of adequate quantity to supply both the principal and accessory dwellings with potable water. The well test shall include an analysis for potability. In the event that such test determines that the water supply is not safe for domestic use or potable, any procedures necessary to make the supply safe shall be completed and a new, independent test provided prior to the issuance of the Building Permit.

Building Code. Accessory Dwelling Units shall meet all applicable building codes, including the New York State Uniform Fire Prevention and Building Code.

Parking. An applicant seeking an Accessory Dwelling Unit permit must demonstrate that there is area available in which to provide adequate off-street parking for the Accessory Dwelling Unit. A minimum of one (1) additional space per bedroom shall be provided for the Accessory Dwelling Unit, and parking shall be allowed in a location on the lot as required by the Zoning Law.

Number of units. Not more than one (1) Accessory Dwelling Unit shall be permitted anywhere on the parcel.

Accessory Dwelling Unit size. In ascertaining which dwelling is the principal dwelling and which dwelling is an Accessory Dwelling Unit, the larger dwelling unit as measured by total floor area shall be deemed to be the principal dwelling.

Access. Separate direct access to the exterior shall be provided from the Accessory Dwelling Unit. Access between the principal dwelling and the Accessory Dwelling Unit is permissible provided any doors providing such access must be "lockable" from both sides.

Exterior alterations. In the case of a residential structure of historic significance, where that building is listed or eligible for listing on the National or State Historic Registers, no exterior modifications that would alter the historic integrity and appearance of the building are permitted.

Habitable space. The Accessory Dwelling Unit shall not be located in a basement or an attic, except where said space is deemed habitable space as per the New York State Uniform Fire Prevention and Building Code.

Facilities separate from principal dwelling. The Accessory Dwelling Unit shall have a separate kitchen, bathroom, and living or sleeping facilities from the principal dwelling. The kitchen shall be appropriately sized and consist of at least a sink, built-in cook top or range, and refrigerator. The Accessory Dwelling Unit shall have a fully enclosed separate bathroom consisting of at least a toilet, sink and shower or bath.

Cluster development. An Accessory Dwelling Unit is permitted in a dwelling located in a cluster subdivision, but shall not be allowed within a detached accessory structure.

Short-term rental. Nothing herein shall be construed to allow a Short-Term Rental in accordance with these provisions, which use shall be otherwise regulated elsewhere in this Zoning Law.

Submission. The following shall be submitted to the building department in order to determine whether the proposed Accessory Dwelling Unit meets the requirements set forth herein:

A floor plan to scale of the principal dwelling and the Accessory Dwelling Unit, and the location of the proposed Accessory Dwelling Unit shown thereon. Dimensions shall be provided of the entire dwelling and Accessory Dwelling Unit to determine compliance with the standards set forth herein.

Supporting documents, showing the location and size of the existing and proposed septic system and well, and the structures on the lot, both as they exist and as they would appear with the Accessory Dwelling Unit(s). Parking locations shall be shown.

Application procedure and decision.

Application. An applicant shall submit a building permit application to the Building Inspector with a checklist attachment and other submissions establishing compliance with all the requirements for an ADU.

Fees. Fees shall be paid and include the standard Building Permit Fee and any other reasonable fee as set forth, from time to time, in the fee schedule established and annually reviewed by the Town Board.

Building permits and certificates of occupancy. An Accessory Dwelling Unit shall comply with the provisions of §§ 96-8 through 96-23 of the Zoning Law, which require issuance of a Building Permit for construction and a Certificate of Occupancy for occupancy.

NYS Building Code. Nothing in this Section is intended to supersede any of the provisions of the New York State Uniform Fire Prevention and Building Code, as may be amended from time to time. If any of the provisions herein conflict with the New York State Uniform Fire Prevention and Building Code, the New York State Uniform Fire Prevention and Building Code shall control. Habitable living space shall not be approved or occupied except in compliance with all applicable federal, state and local laws, codes, rules and regulations and the Building Department shall have the right to periodically inspect the premises, upon reasonable notice to the owner, to ensure that all applicable laws and codes are being followed.

**Section 3.** District Schedule of Use Regulations. Under **§164-8 – District Schedule of Use Regulations, Subsection (E)**, the use "Accessory Dwelling Unit in accordance with §164-19.5" shall replace “Accessory apartment on residential premises”; “P†” shall replace “SP” for such use under the following categories: “CR”, “AR”, “RR”, and “RC”; and “SP††” shall replace “SP” for such use under the “LR” category. Additionally, the following provisions shall be added to the section entitled “Notes” at the end of §164-8 (E):

† Shall be a permitted accessory use to the principal single-family residential use in the specified district.

†† Special use permit review and approval shall be required in accordance with the procedure and requirements established within Article VII of this chapter for an “Accessory Dwelling Units in accordance with §164-19.5” in the Upton Lake LR Zoning District. “Accessory Dwelling Units in accordance with §164-19.5” shall be a permitted accessory use to the principal single-family residential use in the Hunns Lake LR Zoning District.

Further, the categories “Guest cottage on residential premises” and “Duplex, 2-Family” shall be deleted in their entirety on the District Schedule of Use Regulations contained in §164-8.

**Section 4.** Definitions.

**§164-59[6]** shall be modified to read as follows: “Apartment - A dwelling unit contained within a multifamily dwelling.”

**§164-59[52]** shall be modified to read as follows: “Duplex - A structure or building containing or constituting two attached, detached or semidetached single-family dwelling units on a single lot or plot of land. A duplex shall also be referred to as a ‘two-family dwelling.’ **A duplex shall be considered to consist of a principal residence or dwelling and an Accessory Dwelling Unit under §164-19.5 of this chapter.”**

**§164-59[54]** shall be modified to read as follows: “Dwelling, Accessory – A self-contained dwelling unit, having its own exterior or interior entrance and which is subordinate to the principal residence **or dwelling**, shares no kitchen, bath, living or sleeping facilities with the principal residence **or dwelling** and is located on the same lot **as the principal residence or dwelling; also known as an Accessory Dwelling Unit or ADU. Duplexes, two-family dwellings, and guest cottages shall be considered the Accessory Dwelling Unit under §164-19.5 of this chapter. The smaller of the dwellings by total floor area shall be considered the Accessory Dwelling Unit under §164-19.5 of this chapter, while the larger of the dwellings by total floor area shall be considered the principal dwelling.**”

**§164-59[56]** shall be modified to read as follows: “Dwelling, Two-Family – A detached or semidetached building containing two dwelling units only; semidetached may also be known as a ‘duplex.’ **A two-family dwelling shall be considered to consist of a principal residence or dwelling and an Accessory Dwelling Unit under §164-19.5 of this chapter.”**

**§164-59[75]** shall be modified to read as follows: “Guest Cottage - An accessory building on the same lot as a principal dwelling, used for occupancy for either short term guests of the owners or tenants of the principal dwelling or for occupancy by their domestic employees, including caretakers. **A guest cottage shall be considered an Accessory Dwelling Unit under §164-19.5 of this chapter.**

**Section 5.** Conservation Density Subdivision. The regulations set forth in **§140-25 - Conservation density subdivision, Subsection (B)** shall be modified to read as follows:

B. Minimum lot area. A conservation density subdivision shall require a minimum lot area of five acres and a minimum average lot area of 25 acres. All lots created within a conservation density subdivision shall be permanently restricted by a conservation easement from further subdivision and shall, by virtue of the expressed language of said easement, be restricted to the development of one principal single-family dwelling unit and permitted accessory buildings and structures per approved lot, including a**n Accessory Dwelling Unit**, except as may be otherwise authorized on active farm parcels.

**Section 6.** Minimum Lot Area per Principal Dwelling Unit. The regulations set forth in **§164-11 - Minimum lot area per principal dwelling unit, Subsection (B)** is hereby deleted and each subsection shall be replaced with the word "Reserved" as follows:

B. **RESERVED.**

**Section 7.** Off-Street Parking and Loading. The use category entitled “Two-Family dwelling” in the table contained in **§164-16 – Off-street parking and loading, Subsection (A)(1)** shall be deleted in its entirety.

**Section 8.** Additional Standards for Certain Uses. The regulations set forth in **§164-22 - Additional standards for certain uses, subsections (A), (B) and (K)**, are hereby deleted and each subsection shall be replaced with the word "Reserved" as follows:

A. **RESERVED**.

B. **RESERVED.**

K. **RESERVED.**

**Section 9.** Site Plan Review and Approval. The regulations set forth in **§164-30 – Applicability; general procedure** shall be modified to read as follows:

In accordance with Article III, § 164-8, District Schedule of Use Regulations, prior to the issuance of a building permit or certificate of occupancy for a change of use in any district, except for a one-family dwelling and related accessory uses, including **Accessory Dwelling Units,** permitted home occupations or agricultural and conservation uses permitted by right, the Building Inspector shall require the preparation and approval of a site plan. The Building Inspector shall refer the applicant to the Planning Board for site plan review and approval in accordance with § 274-a of the Town Law and the more specific design standards and review procedures set forth in this article.

**Section 10.** Numbering for Codification. It is the intention of the Town of Stanford Town Board and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Stanford; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

**Section 11**. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

**Section 12.** Effective Date. This Local Law shall take effect as of the date of filing with the New York Secretary of State.

**AND BE IT FURTHER RESOLVED**, that the Town Board finds that the revisions are not material and, therefore, reaffirms and ratifies the previously approved Part I of the Full EAF and authorizes circulation of copy of same pursuant to the requirements set forth in 6 NYCRR Part 617; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes the Supervisor to refer the proposed Local Law to the Stanford Planning Board for its report and recommendation pursuant to section 164-56 of the Town Code; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes the Supervisor to refer the proposed Local Law to the Dutchess County Department of Planning & Development pursuant to New York General Municipal Law § 239-m; and

**BE IT FURTHER RESOLVED**, that a public hearing be held in relation to the proposed local law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall on Thursday, October 10th, 2024, at 7 o’clock P.M., and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Stanford by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Stanford will hold a public hearing at the Town Hall, 26 Town Hall Road, Stanfordville, New York 12581, on October 10th, 2024, at 7 o’clock P.M. on Proposed Local Law No. 2 of 2024, entitled “A Local Law Amending Chapter 164 of the Town Code to Allow Accessory Dwelling Units in All Zoning Districts.”

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the Town of Stanford Town Hall, 26 Town Hall Road, Stanfordville, New York, during normal business hours on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Stanfordville, New York

September 12, 202

The foregoing resolution was voted upon with all Board members voting as follows:

Wendy Burton, Supervisor Yes

Nathan Lavertue, Councilperson Yes

Julia Descoteaux, Councilperson Yes

Eric Haims, Councilperson Yes

Theodore Secor, Councilperson Yes

Dated: September 12, 2024

Stanfordville, New York *Ritamary Bell, Town Clerk*

4. IROQUOIS PIPELINE: Curtis DeVito, vice-chair of the CAC, had previously submitted a document regarding the expansion of the Iroquois Pipeline that runs through part of Dutchess County, but not Stanford. The pipeline carries natural gas from Canada to New York and Long Island. The company wants to increase the capacity of the pipeline with four compressor stations in Dover and Athens. There are many reasons to oppose this expansion: the health and safety of the community, gas leaks can have negative benefits, and explosions can occur. The State passed the 2019 “Climate Act’ and this expansion is not consistent with those goals. Mr. DeVito was hoping that the Board would pass a resolution opposing this expansion or send letters to Governor Hochul. The CAC thought that a resolution would be more impactful but a letter is still fine with the language similar to the Kingston and New Paltz copies. The benefits of this pipeline all go downstate, 50% to Con Ed and 50% to National Grid. The Town of Dover is getting more tax revenue from the Pipeline but no local jobs will be created. The Board will discuss this matter at their next workshop.

5. AND 6. RESIGNATIONS OF GREGG WILLIAMS FROM THE C.A.C. AND MICHELLE GLUCK FROM THE CLIMATE SMART TAK FORCE: A. motion was made by Wendy Burton, seconded by Nathan Lavertue, to accept these two resignations with regret, and adding that they had moved out of the town. The Board will be looking for replacement s for these two positions. Motion carried with all voting in favor.

7. WIND / BATTERY MORATORIUM LOCAL LAW – SET PUBLIC HEARING: This matter was brought to the Building Department regarding our regulations and since we don’t have any, it was suggested that the Board pass a moratorium until the Zoning Commission can work on the matter. A motion was made by Theodore Secor, seconded by Wendy Burton, to adopt the following resolution for proposed Local Law #3 of 2024:

**RESOLUTION #9D OF 2024**

**TOWN OF STANFORD**

**LOCAL LAW NO. 3 FOR THE YEAR 2024**

**A LOCAL LAW IMPOSING A TEMPORARY**

**MORATORIUM ON BATTERY ENERGY STORAGE SYSTEMS AND**

**WIND ENERGY CONVERSION SYSTEMS**

At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 10th day of September, 2024, at 7:00 p.m., Town Supervisor Wendy Burton called the meeting to order. Councilperson Theodore Secor, seconded by Supervisor Wendy Burton moved the following resolution to introduce the following proposed local law, to be known as Proposed Local Law No. 3 of 2024, entitled “A Local Law Imposing a Temporary Moratorium on Battery Energy Storage Systems and Wind Energy Conversion Systems” as follows:

BE IT ENACTED by the Town Board of the Town of Stanford as follows:

Section 1. Legislative intent. The Town Board is currently reviewing possible regulations for Battery Energy Storage Systems (“BESS”) and Wind Energy Conversion Systems (“WECS”) and desires to draft a zoning law amendment that would provide for proper regulation of such projects and installations. The Town Board is concerned that the siting of BESS and WECS could potentially impose adverse impacts on health, safety and welfare of the residents of the Town of Stanford. The imposition of the moratorium will enable town officials to comprehensively address issues involved with siting BESS and WECS, address public concerns about those uses, and engage consultants if necessary to make informed decisions. Therefore, pursuant to the statutory powers vested in the Town Board to regulate and control land use, and to protect the health, safety and welfare of its residents, the Town Board hereby declares a temporary twelve (12) month moratorium on Site Plan, Special Use Permit, Variance and Subdivision approval related to BESS and WECS uses in the Town.

Section 2. Definitions

BATTERY ENERGY STORAGE SYSTEM – A rechargeable energy storage system consisting of one or more devices, including batteries, battery chargers, controls, power conditioning systems and associated electrical equipment, assembled together, capable of storing energy in order to provide electrical energy at a future time, not to include a standalone vehicle battery or an electric motor vehicle.

WIND ENERGY CONVERSION SYSTEM - Equipment that converts and then stores or transfers energy from the wind into usable forms of energy and includes any base, blade, foundation or support, generator, infrastructure, nacelle, rotor, tower, transformer, turbine, vane, wire, substation, or control facilities or other components used in the system. The turbine or windmill may be on a horizontal or vertical axis. A wind energy conversion system may consist of one or more wind turbines.

Section 3. Moratorium.

The Town Board hereby enacts a moratorium which shall prohibit application for, or Town review of, Battery Energy Storage Systems and Wind Energy Conversion Systems.

This moratorium shall be in effect for a period of twelve (12) months from the effective date of this local law and shall expire on the earlier of:

the date twelve (12) months from said effective date, unless renewed; or

the enactment by the Town Board of a resolution indicating the Town Board is satisfied that the need for the moratorium no longer exists.

This moratorium shall apply to all zoning districts and all real property within the Town.

Pursuant to this moratorium, the Planning Board shall not review any applications for Battery Energy Storage Systems or Wind Energy Conversion Systems, nor shall it grant any preliminary or final approval for any site plan or special use permit.

Pursuant to this moratorium, the Building Inspector shall not issue Building Permits or Certificates of Occupancy for any Battery Energy Storage Systems or Wind Energy Conversion Systems.

Pursuant to this moratorium, the Zoning Board shall not grant any approvals for any variance that involves the construction, reconstruction, relocation, enlargement or modification of any site intended to be used for Battery Energy Storage Systems or Wind Energy Conversion Systems.

Section 4. Relief from Provisions of this Local Law.

If any owner of property within the Town seeks relief from this moratorium to enable such owner to apply for or seek continued review of, activities otherwise prohibited under this moratorium, such owner shall make application to the Town Board.

It shall be the burden of the owner for such relief to demonstrate to the satisfaction of the Town Board, upon clear and convincing evidence, that an unjust result and extraordinary financial hardship will occur to the property owner if such relief is not granted, and such showing must demonstrate that the proposed activity for which relief is sought shall be consistent with the reasonable and orderly development of the Town.

Such relief shall be the subject of a public hearing before said Town Board.

It shall be within the discretion of the Town Board to grant, in whole or in part, or deny, the application for such relief from the terms of this moratorium.

Section 5. Penalties. Any person, partnership, association, corporation, landowner, lessee or licensee which shall construct, reconstruct or relocate any site to be used for a Battery Energy Storage System or Wind Energy Conversion System in violation of the provisions of this local law, shall be subject to:

A fine not to exceed One Thousand and 00/100 Dollars ($1,000.00) per individual and not exceeding Five Thousand and 00/100 Dollars ($5,000.00) as to a corporation, partnership, or association, or imprisonment for a term not to exceed one (1) year, or both;

A civil penalty in the amount of One Hundred and 00/100 Dollars ($100.00) for each day that such violation shall exist;

Injunctive relief in favor of the Town to cease any and all such actions which conflict with this local law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violation of this local law.

Section 6. Enforcement. This local law shall be enforced by the Code Enforcement Officer of the Town of Stanford or such other zoning enforcement individual(s) as designated by the Town Board. It shall be the duty of the enforcement individual(s) to advise the Town Board of all matters pertaining to the enforcement of this local law and to keep all records necessary and appropriate to the office and to file same in the office of the Town Clerk.

Section 7. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

Section 8. Conflict with Other Laws. All other ordinances or local laws of the Town of Stanford which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law full force and effect during its effective period. In addition, this Local Law supersedes such New York State Statutes and Regulations to the extent such Statutes and Regulations require an agency to adhere to certain specified timeframes.

Section 9. Numbering for codification. It is the intention of the Town Board and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Stanford; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 10. Effective Date This local law shall take effect immediately upon passage, and then shall be filed with the New York State Department of State and shall remain in force and effect for a period of twelve (12) months from the date of such filing, unless extended or rescinded by subsequent local law.

AND BE IT FURTHER RESOLVED, pursuant to the applicable standards of the SEQRA regulations contained in 6 NYCRR Part 617, the Town Board hereby declares the enactment of this proposed local law imposing a temporary moratorium is a Type II Action pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and is therefore exempt from environmental review under SEQR; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to refer the proposed local law to the Stanford Planning Board for its report and recommendation pursuant to section 164-56 of the Town Code; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to refer the proposed Local Law to the Dutchess County Department of Planning & Development pursuant to New York General Municipal Law § 239-m; and

BE IT FURTHER RESOLVED, that a public hearing be held in relation to the proposed local law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall on , 2024, at 7 o’clock P.M., and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Stanford by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Stanford will hold a public hearing at the Town Hall, 26 Town Hall Road, Stanfordville, New York 12581, on October 10, 2024, at 7 o’clock p.m., Prevailing Time on Proposed Local Law No. 3 of 2024, entitled “A Local Law Imposing a Temporary Moratorium on Battery Energy Storage Systems and Wind Energy Conversion Systems.”

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the Town of Stanford Town Hall, 26 Town Hall Road, Stanfordville, New York, during normal business hours on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Stanfordville, New York

September 12, 2024

The foregoing resolution was voted upon with all Board members voting as follows:

Wendy Burton, Supervisor Yes

Nathan Lavertue, Councilperson Yes

Julia Descoteaux, Councilperson Yes

Eric Haims, Councilperson Yes

Theodore Secor, Councilperson Yes

Dated: September 12, 2024

Stanfordville, New York *Ritamary Bell, Town Clerk*

8. BURDICK PARK LANDSCAPE DESIGN MOTION: A motion was made by Wendy Burton, seconded by Theodore Secor, to memorialize the structure of the funding for the Town property for the landscape design of the Dorothy and Irving Burdick Park: the Stanford Historical Society will have the fiscal sponsorship for the landscape design work to be done by Wagner Hudson, P.C. from Burlington, VT. Motion carried with all voting in favor.

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9. APPROVE HOBSON WINDOW REPLACEMENT PROPOSAL: A motion was made by Wendy Burton, seconded by Eric Haims, to approve the proposal from Hobson Windows to replace all if the windows on the rear side of the Town Hall – offices of the Town Clerk, the Historian/Planning/Zoning and the Assessors. The cost is $25,499.70. Motion carried with all present voting in favor.

10. APPROVAL OF MINUTES: The Minutes of the July 11th Town Board meeting were approved as written on a motion made by Wendy Burton, seconded by Julia Descoteaux. Motion carried with all present voting in favor.

11. APPROVAL OF AUGUST ABSTRACTS #8 FOR 2024: A motion was made by Wendy Burton, seconded by Julia Descoteaux, to approve the payment of the August Abstracts as follows: General Fund, check #s 7890-7938 in the amount of $55,570.75

Highway Fund, check #s 4587-4613 in the amount of $68,526.87

Highway Vehicle Reserve fund – check #4610 in the amount of $71,423.20

Ambulance – check #7916 in the amount of $62,500.00

Motion carried with all present voting in favor.

PRIVILEGE OF THE FLOOR: Renee Richard, 6 Drake Road – thanked Supervisor Burton for her “Notes from the Supervisor” newsletters, adding that she thought the proposed summer camp and Arts & Crafts was a great idea, and asked if they had done a bid for the Bottini Fuel air conditioning project. Supervisor Burton replied that since this was an emergency repair, Bottini was contacted as they were already working here in the building for the new HVAC system and their prior bid for that project was the lowest bid received.

With no other matters to be discussed, a motion to adjourn was made at 8:36 PM by Wendy Burton, seconded by Theodore Secor. Motion carried with all present voting in favor.

Respectfully submitted,

Ritamary Bell

Town Clerk