

Town of Stanford Planning Board

Meeting Minutes

November 20, 2024

Present: Thomas Angell, Chris Flynn, Will Moriarty, Patrick Hancock, Brad Rolston, Eric Haims  
(Town Board Liaison)

Meeting begins at 7:30 PM

**BUSINESS:**

Ms. Knickerbocker summarized why the BlueSky Farm public hearing and Site Plan for Benjamin Rathjen public hearing had been postponed. The BlueSky Farm notice was posted too late in the newspaper to give proper notice. The Rathjen site plan will require a SWPP according to Mr. Bertram, Planning Board engineer, so the public hearing will be postponed until the application is complete.

Minor Subdivision: Adrian & Andrea Velasquez  
313 Jameson Hill Road, Clinton Corners, NY 12514

Mr. Rider, the applicant's engineer, and Mr. Velasquez presented. Mr. Velasquez had purchased the lot and put his residence on the property. Mr. Velasquez would like to split the lot into 4 additional lots with a common driveway branching off the existing driveway. The parcel is about 80 acres, and each lot would be approximately 5.1 acres, 5.3 acres, 6.2 acres, and 6.4 acres. Mr. Angell asked how far along they have gone with engineering. Mr. Rider said they did soil analysis with the Health Department. Mr. Angell asked the current condition of the parcel and Mr. Rider said it wooded for the most part and a lot of brush. Mr. Rolston asked if the driveway area is steep, and Mr. Velasquez and Mr. Rider said it should be manageable. Mr. Rider explained that Mr. Velasquez's driveway comes off the public road. Mr. Angell clarified that having one lot with four additional lots would make the application a major subdivision. Ms. Knickerbocker said the fee was submitted for a minor subdivision, but not for a 5 lot major subdivision, so the application would have to be amended, and appropriate fees would have to be submitted as well. Mr. Rider said where the road comes in is an open field but was overgrown when purchased. Ms. Velasquez presented. Ms. Velasquez explained that when they purchased the lot they cleaned it up and made a driveway, the additional lots to be subdivided would be accessed by a different driveway shared by a private road. Mr. Angell explained once the fees have been paid the Planning Board engineer and applicant engineer work together to make sure the subdivision meets all the code requirements. Mr. Angell further explained that a major subdivision requires a preliminary approval and a final approval, making it a lengthier process especially with the driveway legal matters. Mr. Angell said with one less lot it would be a minor subdivision and it less complicated. Mr. Velasquez said he bought the land to clean it up and

build houses and sell them because the area the houses would go is not ideal farming land. Mr. Angell said the next step would be to decide if they want to do the major or minor subdivision and pay the appropriate fees and keep the escrow funded to pay for the engineer and lawyer fees. Mr. Angell explained that the process can be costly based on previous major subdivision applications. Mr. Velasquez said they will think it over because he would like to build houses and sell them but wants to make sure that the process will not cost more than he can make.

#### PRE-APPLICATION CONFERENCE:

Building Envelope Amendment: Joe Monaco

Shelley Hill, Stanfordville, NY 12581

Mr. Monaco presented. Mr. Monaco recently inherited from his father a 15 acre flag lot (Lot 2) on a parcel that was subdivided in 2007 from a 20 acre lot and would like to build a home there. Mr. Monaco's father and Spencer Hall got the original subdivision approval in 2007 and there is a designated a building envelope on the east side of the pond, but Mr. Monaco would rather have it on a different part of parcel. Mr. Monaco explained that he does not know where to start and is looking for guidance. Mr. Monaco said he would prefer to eliminate the envelope and adhere to setbacks and the designated wetlands, and Board of Health approvals. Mr. Monaco said the other option is to expand the envelope to 1.8 acres out of 15 acres. Mr. Monaco said the map was filed in 2006-07 and that Spencer Robinson received approval from the Board of Health for a 3 bedroom septic system within the building envelope and it has been renewed by Mr. Monaco. Mr. Monaco said he would like to keep that approval intact in case the building envelope could be used in the future for a guest house and then be able to build the main home in the new proposed area. Mr. Angell asked Mr. Monaco to describe the parcel. Mr. Monaco said the parcel is very wooded in the rear, the driveway is about 1400 feet and cut in for 2 vehicles, on the South side of the pond there are big fields and a large garden, as the road wraps around pond there is an open area where he would like the new building area to be. Mr. Monaco said the soil perc is great with no fill needed and hoping for the same in other areas. Mr. Monaco said there are some trails that he intends to keep wooded. Mr. Angell asked if Mr. Monaco's father remembered why the building envelope was put in place, and Mr. Monaco said his father thought it was financial or maybe because the process would be quicker if they agreed to a building envelope. Mr. Angell said he did not think he was on the Planning Board for the original subdivision, but it has been best practice and training for Planning Boards to create building envelopes to preserve the natural area and help shape the Town look. Mr. Angell also explained that the longer the driveway, the more likely it is to disturb wildlife. Mr. Monaco said he is open to expanding the envelope, but wanted the house in a different area, but knew he had to come here first. Mr. Hancock pointed out that the envelope may be where it is to avoid crossing districts and to only be in the Agricultural Rural district and there is a forestry note on the map for clearing trees. Mr. Angell said that this would be an amendment to the original subdivision, and without the information from the previous decision, they cannot act at this time, rather they will need to review the previous minutes and files to understand why the building envelope was placed where

it was. Mr. Angell said that Mr. Monaco will need to submit an application to amend the subdivision. Mr. Angell said Mr. Monaco will likely have to hire an engineer and follow code 140-29 to resubmit the application for a minor subdivision. Next month the Planning Board will review documents from the original subdivision and discuss the next steps with Mr. Monaco.

#### OTHER:

##### Updated ADU Law Review

Mr. Rolston said it seemed that the most recent change in the ADU law draft was the elimination of definitions was removed, and the definitions for guest cottages returned to the draft. Mr. Angell clarified that the original draft allowed anyone to do two dwellings on one parcel, but he said the Town Board wanted to tighten up the law. Mr. Angell said the new draft is not clear whether a person can still have their “as of right” Accessory Dwelling Unit but then because they have 10 acres they can say they also want a guest cottage because there are separate definitions. Mr. Rolston agreed that having more options makes it harder to distinguish if you really can only have 1 additional dwelling on your property. Mr. Angell gave an example that maybe someone that has a duplex could say they want one ADU per dwelling in the duplex. Mr. Haims said he does not believe the Board knows this could be a potential problem. Mr. Angell explained the original intent was to allow 2 dwellings on the property regardless of lot size, and the limiting factor was there were to be only 2 dwellings on each property, as long as Health Department approvals were given. Mr. Rolston asked why the option for a guest cottage is there, and Mr. Haims said it is because a guest cottage could be larger, up to 2,500 square feet. Mr. Angell said the law also outlined that no variances would be allowed, and he said he thought that is not something the Town Board can implement because it is against State law. Mr. Rolston clarified that the amended ADU law includes the Guest Cottage for 2<sup>nd</sup> dwellings larger than 1800 square feet obtainable by a special use permit, and that could make sense if there is a choice between a larger ADU and a smaller one. Mr. Haims asked how they can make it clear, so people do not take advantage of the system. Mr. Haims pointed out that Upton Lake needs a special use permit for an ADU and Hunns Lake does not. The Planning Board decided they will write a joint letter to the Town Board asking to re-word item #5 so it is clearer that guest cottages are larger ADUs and will require a special use permit, and that no more than 2 dwellings are permitted on a parcel, and that duplexes cannot have a guest cottage. Mr. Angell explained that the only “as of right” ADU right now is a duplex, and he wondered why people do not do that instead of the guest cottage especially since you are not supposed to rent a guest cottage. Mr. Angell asked what the Town Board’s view was on the 1800 square foot limit, Mr. Haims explained that the idea was to keep the ADUs to smaller and affordable to add to the rental pool versus a bigger dwelling. Mr. Angell said in the past there have been applicants that want the guest cottage to move a family member in. Mr. Rolston said he was in favor of limiting the ADU size to 1800 square feet and anything larger up to 2500 square feet could be obtained by special use permit. Mr. Hancock suggested having a blanket statement only allowing 2 dwellings on a property with the exception of farm housing. Mr. Rolston suggested defining ADU, Guest Cottage, Accessory

Apartment and then clarifying that only one of those can be allowed. Mr. Angell said he will prepare a letter to circulate to the Town Board with these recommendations.

Mr. Moriarty motioned to approve the October 30th meeting minutes with amendments to the 9<sup>th</sup> line and 12<sup>th</sup> line down removing extra “the’s”. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Hancock, Mr. Rolston, Mr. Moriarty. Motion carried.

Mr. Flynn motioned to adjourn the meeting. Mr. Hancock seconded. All in favor, Mr. Angell, Mr. Flynn, Mr. Rolston, Mr. Hancock, Mr. Moriarty. Motion carried. Meeting adjourned at 8:37 PM.

Next meeting is December 18.

Minutes recorded by Sara Knickerbocker