TOWN OF STANFORD TOWN BOARD  
TOWN BOARD MINUTES

NOVEMBER 14th, 2024

The Town of Stanford Town Board met for their monthly meeting on Thursday, November 14th, 2024, at the Town Hall. Deputy Supervisor Nathan Lavertue, in Supervisor’s Burton’s absence, called the meeting to order at 7:00 PM with the Pledge of Allegiance led by Margaret Fallon.

This meeting was dedicated to Barry Haydasz, a strong advocate for the Town’s CAC, who recently passed away, and will be fondly spoken of later in the meeting. Mr. Lavertue added that this meeting would be also dedicated to our Election Coordinators and Inspectors that we truly appreciate: Pat Knapp, Karen Mosher, Doreen Brown, Sue Treacy, JR Tracy, Greg Arent, Charles Buys, Diane Lyons, Ira Dunn and Ethan DiMaria. And since it was just Veterans Day, the Town Board would also like to recognize all the veterans both from here and across the country, as well as their families.

Roll call: Wendy Burton – absent

Julia Descoteaux – present

Eric Haims - present

Nathan Lavertue – present

Theodore Secor - present

Also in attendance was Town Attorney Robert Butts.

MOTION TO APPROVE AGENDA: Nathan Lavertue made a motion to accept the Agenda, seconded by Eric Haims with the removal of Item #2 under New Business– Ed Zick from the Fire Company - and replace it with Margaret Fallon’s tribute to Barry Haydasz. Motion carried with all present voting in favor.

LIAISON REPORTS:

Councilman Teddy Secor said that Haunted Fortress brought in $24,293 with only one night lost due to inclement weather. Other than the first weekend, every weekend night was very busy. The cleanup for winter has been done and they will have one more meeting for the year on Dec. 4th at 6 PM. The Fortress will also have a float in the Holiday of Lights parade and may try to do the Pine Plains parade too. Last night’s ZBA meeting had a variance application for a new house on 5 Millis Lane with a public hearing being scheduled for their Dec. meeting. They also had a public hearing on a stop work order issued by the Building Inspector from May and this hearing will be kept open until 7 days before the December meeting. The Climate Smart Community Task Force discussed last month the proposed ADU law, their opposition to the Iroquois Pipeline and their composting survey results: most who responded thought that we did not need a town-wide composting program but would prefer more educational resources for at-home composting. The CSC will also be welcoming a new member, Andrew Riccio.

Councilman Eric Haims reported that the Planning Board meeting was held on October 30th and had three items on their agenda: a minor subdivision for Blue Sky Farm on the north side of Hunns Lake Road, south of Ohland Road where 2 lots of 73 acres will be divided into 59 and 14 acre parcels and will have a public hearing next month; a site plan review for Ben Rathjen on 6102 Route 82 for a pole barn and a building with an office for an outdoor retail business, but they had to do some revisions as well as re-submitting for a parking lot; and a major subdivision on 729 Cold Spring Road for eleven residential lots and a horse paddock area but road access was a question and the applicants’ engineer should speak with the Town’s engineer. A pre-application review was expected but was put off until their November meeting. The Planning Board also discussed Local Law #2 – the battery and wind storage law and had no comments.

Nathan Lavertue reported from the Rec. Commission: at their last meeting they discussed the pavilion rentals, which has the pavilion rented every single weekend this past season, and would be working on revising the rules and updating the fees to be more in line with others’ in the area; also discussed was the Trunk or Treat where 25 cars were there but they had 250 kids and are hoping for more “trunks” next year; fall and winter activities were planned with a “Winter Glow Party” scheduled for January 24th at the Town Hall; the “recipes for kids” will be continuing through January, February and March; the Rec.’s budget was approved and they might be looking for as assistant Rec. Director as the current director will probably be the new Camp Director, and the new Camp will be starting the first full week after July 4th.

Councilwoman Julia Descoteaux reported that the recent CAC meeting did not conduct any normal business but remembered their member Barry Haydasz, and Curtis DeVito was appointed to be the CAC chairman.

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Mrs. Descoteaux also gave the Supervisor’s report in Ms. Burton’s absence: she had submitted two payroll verifications, the October bank reconciliation and the Supervisor’s report. The ’24 Budget is looking good with revenues coming in as projected. The Town received a check from the County for mortgage taxes for $52,794 which will come in just a little short of the expected revenue; the lowered interest rates should help planned revenues for next year and $12,934 Cable Franchise fees were received. The Court has exceeded their planned revenue by $14,000 and the Town is waiting for CHIPS monies that will come in fairly soon.

She also gave the Supervisor’s report on the last Zoning Commission meeting where they discussed the “Right to Farm” and interviewed consultant Nina Peak for her assistance as well as discussing the matter of larger events venues being held in Town. The Haunted Fortress Committee is also looking for more members, and the Salt Point Bridge project is finally completed and the bridge has been re-opened.

PRIVILEGE OF THE FLOOR:

Martina Deignan, 122 Shelley Hill Road – asked about the re-introduced ADU law regarding the special use permit and review process: why are ADUs allowed in the Hunns Lake area and not in the other lake district? This was not equitable, favoring some over others. Also asked about the maximum size of an ADU being 1800 sq. ft. – how did that number get decided? In low density areas the setback requirements are not clear. She wants to protect her resources. Attorney Butts said that when the law was re-introduced later during the meeting that he would comment. Mr. Lavertue replied that the size was decided by going back historically over the last 50 years that the average home size was about 1800 sq. ft. Any smaller it would only be enough for one person and the Town was trying to encourage families here. He added that in terms of the environment, the Comprehensive Plan takes all of that into account to maintain the rural agricultural character. Brief discussion followed and continued under the re-introduction of the law.

Sandra Bilski, Aberdeen Lane – added that she liked that the changes were made that made things less complicated and that the special use permit went through the Planning Board.

PUBLIC HEARING:

TO ENACT A LOCAL LAW IMPOSING A TEMPORARY MORATORIUM ON BATTERY STORAGE SYSTEMS AND WIND ENERGY CONVERSION SYSTEMS

Deputy Supervisor Lavertue made a motion to close the regular meeting and go into the scheduled Public Hearing on this moratorium on battery and wind storage systems. Motion seconded by Julia Descoteaux, with all present voting in favor.

Attorney Butts gave a summation of this moratorium: that it would buy time for the Zoning Commission to apply rules and regulations for battery and wind storage systems that were only for commercial operations. This second version of the law excluded residential uses or any battery attached to a single-family home. This moratorium would be in effect for one year and the Town will consider what regulations would be needed, if any, and adopt a local law to cover that. Members of the Planning Board had discussed this and had no further comments and the County Planning considered it a “matter of local concern.”

Margaret Fallon, 100 Sisters Hill Road – asked if agricultural exemptions were part of this moratorium, and Attorney Butts answered no, that farm vehicles are exempt.

Doug Kirschner, Shelley Hill Road – asked what brought about this moratorium? Councilwoman Descoteaux replied that there had been one or two inquiries. She added that the recent Association of Towns magazine had an article about wind energy storage systems and how other towns have delt with them.

With no other comments heard, Nathan Lavertue made a motion to close the public hearing and go back into the regular meeting. Motion seconded by Theodore Secor, with all present voting in favor.

NEW BUSINESS:

1. PROPOSED LOCAL LAW #2 – RESOLUTION #11B:

**TOWN OF STANFORD**

**RESOLUTION NO. 11B of 2024 TO ENACT LOCAL LAW #2 OF 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 14th day of November, 2024, at 7:00 p.m., Town Deputy Supervisor Nathan

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Lavertue called the meeting to order, and he, seconded by Councilperson Julia Descoteaux, moved the following resolution, to enact the local law, to be known as Local Law No. 2 of 2024, entitled “A Local Law Imposing a Temporary Moratorium on Battery Energy Storage Systems and Wind Energy Conversion Systems,” as follows:

**WHEREAS,** the following Local Law was introduced as Proposed Local Law No. 2 of 2024, by Resolution No. 10D, adopted at a meeting of the Town Board held on October 10, 2024; and

**WHEREAS**, at said meeting, the Town Board declared that 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 SEQRA; and

**WHEREAS**, the proposed Local Law 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 was referred to the Town of Stanford Planning Board for a report and recommendation pursuant to Section 164-56 of the Stanford Town Code, and the Planning Board responded that it had no comment; and

**WHEREAS,** a properly noticed public hearing was held before the Town Board during the meeting on November 14, 2024, on this Local Law; and

**NOW THEREFORE, 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, electric vehicle recharging system, electric motor vehicle, or any battery system attached to a single family residential use for the purposes of supplying electricity for domestic use.

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

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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.

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

Wendy Burton, Supervisor – Absent; Nathan Lavertue, Councilperson – Yes; Julia Descoteaux, Councilperson – Yes; Eric Haims, Councilperson – Yes; Theodore Secor, Councilperson – Yes.

Dated: November 14th, 2024

Stanfordville, New York *RITAMARY BELL, TOWN CLERK*

2. FIRE COMPANY THANK YOU – ED ZICK: Tabled; he was not able to come.

2. TRIBUTE TO BARRY HAYDASZ BY MARGARET FALLON: Margaret Fallon, 100 Sisters Hill Road and former Councilwoman – thanked the Board for continuing the tradition of honoring local community members that have passed. She then spoke of Barry Haydasz whom she served with on the CAC for 5 years but his service to the Town goes back for decades. Barry had a passion for the Whitlock Preserve, the Gary Lovett Preserve and all of nature, especially butterflies and moths. She added that Barry was always helping friends and neighbors – digging up septics, re-building small engines – and he had great parties at the holidays with bonfires and music. Many would recognize him as he was always at Community Day at the CAC tent, bringing buckets of plants and weeds for identification. Barry saw the beauty all around us and was smart, generous and had a wicked sense of humor. He will be missed by many.

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3. RE-INTRODUCE PROPOSED LOCAL LAW #3 – ACCESSORY DWELLING UNITS – RESOLUTION #11C: Councilwoman Descoteaux read the re-introduction parts of the following resolution to re-introduce the Accessory Dwelling Units proposed local law. Attorney Butts summed up some of the changes: that an ADU was “as of right” with all family residential zones except the Lake zone at Upton Lake; the size was decided to be 1800 sq. ft.; the variances

and setback will be the same as for a detached structure; and could be subject to a special use permit. These all simplified the proposed law and has been reviewed by both the Planning Board and the County Planning Department.

**RESOLUTION NO. 11C OF 2024**

**TOWN OF STANFORD**

**INTRODUCTION OF LOCAL LAW NO. 3 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 14th day of November, 2024, at 7:00 P.M., Town Deputy Supervisor Nathan Lavertue called the meeting to order, and he, seconded by Councilperson Julia Descoteaux, 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. 3 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 under 1,800 square feet in total floor area per lot in all zoning districts and in compliance with certain requirements which are the subject of 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, §164-8, and all other applicable sections of the Zoning Law.

Eligibility; attached or detached Accessory Dwelling Unit.

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An Accessory Dwelling Unit may be a new structure or constructed by modification or addition to the single-family dwelling or by conversion of an existing structure or building located on the same lot as the principal dwelling, provided the Accessory Dwelling Unit is less than or equal to 1,800 square feet in area.

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. The Accessory Dwelling Unit shall be not more than 1800 square feet in total floor area. Variances shall not be granted for a proposed Accessory Dwelling Unit in excess of 1800 total square feet.

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.

Other provisions. Nothing herein shall be deemed to limit provisions of this Zoning Law applicable to Duplex and Two-Family Dwellings, Accessory Apartments or Guest Cottages.

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.

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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,** is hereby amended to add the use "Accessory Dwelling Unit in accordance with §164-19.5." Such use shall have the designation “P†” under the following categories: “CR”, “AR”, “RR”, and “RC”; and shall have the designation “SP††” 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.

**Section 4.** Definitions.

**§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. An Accessory Dwelling Unit or ADU is an accessory dwelling in compliance with the requirements of §164-19.5.**

**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 guest cottage or a**n Accessory Dwelling Unit**, except as may be otherwise authorized on active farm parcels.

**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.

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**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 Dec. 12, 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 ten (10) 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 December 12, 2024, at 7 o’clock P.M. on Proposed Local Law No. 3 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

November 14, 2024 *RITAMARY BELL, TOWN CLERK*

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

Wendy Burton, Supervisor Absent

Nathan Lavertue, Councilperson Yes

Julia Descoteaux, Councilperson Yes

Eric Haims, Councilperson Yes

Theodore Secor, Councilperson Yes

Dated: November 14, 2024

Stanfordville, New York

4. ACCEPT 2025 HIGHWAY BIDS: On the recommendation of Highway Supt. Jim Myers, a motion was made by Natan Lavertue, seconded by Julia Descoteaux, to accept all the bids received and award to the “lowest responsible bidder” and reserve the right to utilize the next lowest bidder in case the awarded low bidder cannot meet the quality and quantity requirements of the materials needed. Motion carried with all present voting in favor.

5. APPOINT MARRIAGE OFFICER: The following motion was read: Nathan Lavertue**,** as Deputy Supervisor, makes a motion to appoint Wendy Burton as a Marriage Officer for the Town of Stanford pursuant to Article 3, Section 11c of the New York State Domestic Relations Law, for a term of two (2) years, or to the end of her term as Town Supervisor pursuant to Article 3, Section 11c of the New York State Domestic Relations Law; and that Supervisor Wendy Burton shall receive no salary for said position, however, may accept fees up to $75.00 per ceremony at any ceremony at which she officiates in accordance with Article 3, Section 11c of the New York State Domestic Relations Law. Motion seconded by Eric Haims. Motion carried with all present voting in favor.

6. BUDGET MODIFICATION – RESOLUTION #11A OF 2024: Councilman Secor read the following resolution:

Motion made by Nathan Lavertue, seconded by Theodore Secor, as follows:

**RESOLUTION #11 A 2024**

**TO APPROVE budget modifications and transfer of funds from A.R.P.F. TO GENERAL FUND for window replacements in town hall**

**WHEREAS**, the Town Board of the Town of Stanford has approved the replacement of windows in the Town Hall Building to maximize the energy saving efficiency of the building, and

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**WHEREAS**, the Town Board of the Town of Stanford needs to approve the transfer of funds from the American Rescue Plan Fund to cover the cost,

**NOW THEREFOR BE IT RESOLVED** that the Town Supervisor is authorized to transfer the sum of no more than $30,000 to the General Fund, and

**BE IT FURTHER RESOLVED** that the Town Supervisor is authorized to make the following budget amendments:

00-510 Estimated Revenue $30,000.00

00-4089 Federal Aid ARPA

00-960 Appropriations $30,000.00

00-01-1620-40 Building Contractual

00-200 Cash $30,000.00

00-209 Cash- ARPA

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

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

Certified this 14th day of November 2024 by the affirmative votes of the Town of Stanford Town Board members present. *Ritamary Bell,* *Town Clerk*

7. APPROVAL OF MINUTES: The Minutes of the October 10th Town Board meeting and the October 24th Special meeting, were approved as written in a motion made by Nathan Lavertue, seconded by Eric Haims. Motion carried with all present voting in favor.

8. APPROVAL OF NOVEMBER ABSTRACTS #11 FOR 2024: A motion was made by Wendy Burton, seconded by Nathan Lavertue, to approve the payment of the November Abstracts as follows: General Fund, check #s 8046 - 8106 in the amount of $80,630.33

Highway Fund, check #s 4646 - 4662 in the amount of $33,375.88

Bangall Lights, check # 3078 in the amount of $1,004.98

Ambulance – check # 8028 in the amount of $62,500.00

Escrow – check # 1055 in the amount of $728.00

Motion carried with all present voting in favor.

PRIVILEGE OF THE FLOOR: No one addressed the Board.

With no other business, a motion to adjourn at 7:53 PM was made by Teddy Secor, seconded by Nathan Lavertue. Motion carried.

Respectfully submitted,

Ritamary Bell

Town Clerk