TOWN OF STANFORD TOWN BOARD
TOWN BOARD MINUTES

 MARCH 13th, 2025

 The Town of Stanford Town Board met for their monthly meeting on Thursday, March 13th, 2025, at the Town Hall at 7:03 PM. Supervisor Wendy Burton called the meeting to order with the Pledge of Allegiance.

Roll call: Wendy Burton – present

 Julia Descoteaux – absent

 Eric Haims - present

 Nathan Lavertue – present

 Theodore Secor - present

Also in attendance was Town Attorney Robert Butts.

MOTION TO APPROVE AGENDA: Supervisor Burton made a motion to approve the Agenda with the addition of a discussion on an HVAC split for heating and cooling the basement records room and to approve the appointment of a Zoning Board of Appeals applicant, seconded by Nathan Lavertue. Motion carried with all present voting in favor. Motion carried.

LIAISON REPORTS:

Councilman Theodore Secor reported that the Haunted Fortress will not have another meeting until April 2nd. From the Zoning Board of Appeals, the ZBA board interviewed applicant Andrew Ellis; they discussed the Rathjen issue and they extended that public hearing open until April; there were two public hearings held and approved for variances at 1209 Bulls Head Road and 181 Cold Spring Road, but another for 160 Cold Spring was re-classified so no variance was needed. A public hearing for a variance at 902 Duell Road will be next month. The Climate Smart Task Force started going through their task lists and are planning a Farm tour along with the Grange. Mr. Secor’s report from the CAC for Councilwoman Descoteaux covered the Chair, Curtis DeVito, looking into a grant for drinking water and member Natalie O’Malley was concerned about the herbicides being used at Hunns Lake. (Supervisor Burton responded that she knew that they were approved by the DEC.) Mr. DeVito also discussed the progress of the NRI, and a 2nd update was required in May; the Winnikee Land Trust update would be at their next meeting as well. They were going to look into protecting the CEAs, like the Wildlife Preserve, there might be a pollinator maze somewhere at the Rec. Park, the roadside clean-up was tentatively scheduled for 4/26 and that the Governor had approved the Iroquois Pipeline expansion project.

Councilman Eric Haims covered items at the recent Planning Board meeting: public hearings for a minor subdivision on 154 Knight Road where the egress and ingress aspects were discussed as well as the amphibian wildlife there but conditional approval was given, and for a minor subdivision on 177 Sisters Hill Road with new driveways. A lot line alteration at 483 Cold Spring was also discussed. Regarding a special use permit for a guest cottage at 57 Wendover Road, they were advised to apply for a duplex which would not need a special use permit.. There was also a pre-application conference for a lot line adjustment on Barton Lane but an engineer would be needed.

Councilman Lavertue covered the recent Recreation Commission meeting: April 19th will be the date for the Easter Egg Hunt at 10 AM; the Trivia night was a big success and they might have another one in May; the Recipe for Kids was last night and there would be one more, plus a planned “Mommy and Me” tea party. There are still open registrations for the summer camp and so far, the registrants have been both residents and non-residents. The Rec. Director had one candidate for Assistant Director but this person may be better as a camp counselor.

Supervisor Burton stated that from the Fire Commissioners meeting that they had responded to 6 fires, 25 rescue calls and 1 motor vehicle accident. The Zoning Commission continues to work on the issue of battery energy storage systems; since the Town Board had placed a moratorium on them, but they still need more information but were leaning towards not wanting them here. The Zoning Commission also continued to discuss home occupations. For the Town’s financial report, Ms. Burton said that all funds had been distributed to the Fire Company, the Library, the Bangall Lights and to the Ambulance fund, as well as to the General and Highway funds. More tax money with late fees were still expected.

PRIVILEGE OF THE FLOOR: No one addressed the Board.

**PUBLIC HEARINGS:**

Town Board Minutes

3/13/25, page 2

**Proposed Local law #2 of 2025: Amending Chapter 144 of the Town Code to Authorize a Property Tax Exemption for the Creation of Accessory Dwelling Units under Section 421-P of the New York State Property Tax Law**

Supervisor Burton made a motion to open the first Public Hearing on proposed Local Law #2 that would give a tax exemption for residents building an ADU, seconded by Nathan Lavertue. Motion carried. With no comments heard, a motion to close the Public Hearing was made by Wendy Burton, seconded by Teddy Secor. Motion carried.

**Proposed Local Law #3 of 2025: Amending Chapter 144 of the Town Code to Extend Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers to Those Serving Neighboring Communities under Section 466-L of the New York State Real Property Tax Law**

 Supervisor Burton made a motion to open the scheduled Public Hearing on proposed Local Law #3 that would give a property tax exemption for firefighters and ambulance workers in neighboring towns, seconded by Nathan Lavertue. With no comments heard, a motion to close the Public Hearing was made by Wendy Burton, seconded by Teddy Secor. Motion carried.

NEW BUSINESS:

1. VOTE ON LOCAL LAW #2: A motion was made by Wendy Burton, seconded by Nathan Lavertue, to approve the local law for tax exemption on ADUs.

**TOWN OF STANFORD**

**LOCAL LAW NO. 2 FOR THE YEAR 2025**

**AMENDING CHAPTER 144 OF THE TOWN CODE TO AUTHORIZE A PROPERTY TAX EXEMPTION FOR THE CREATION OF ACCESSORY DWELLING UNITS UNDER SECTION 421-P OF THE NEW YORK STATE REAL PROPERTY TAX LAW**

 At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 13th day of March, 2025, at 7:00 p.m., Town Supervisor Wendy Burton called the meeting to order, and she, seconded by Councilperson Lavertue, moved the following resolution to enact the following local law, to be known as Local Law No. 2 of 2025, entitled “A Local Law Amending Chapter 144 of the Town Code To Authorize A Property Tax Exemption For The Creation Of Accessory Dwelling Units Under Section 421-P of The New York State Real Property Tax Law” as follows:

 WHEREAS, the following Local Law was introduced as Proposed Local Law No. 2 of 2025, by Resolution No. of 2025, adopted at a meeting of the Town Board held on February 13th, 2025; and

WHEREAS, a properly noticed public hearing was held before the Town Board during the meeting on March 13th, 2025, on this Local Law; and

WHEREAS, the Town Board has determined proposed action qualifies as a Type II action under the New York State Environmental Quality Review Act, as it involves routine or continuing agency administration and management and does not include new programs or major reordering of priorities that may affect the environment, and is therefore exempt from environmental review;

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

Section 1. Legislative intent: The New York State Legislature recently added a section to the Real Property Tax Law under 421-P to exempt capital improvements to residential new construction involving the creation of one or more additional residential dwelling units on the same parcel as a pre-existing residential unit. Said exemption is limited to two hundred thousand dollars in increased market value of the property attributed to the creation of the accessory dwelling unit. The Town Board has determined that, given the raising housing and rental costs, it is in the best interests of the Town and its residents to encourage the development of affordable housing options through the creation of new accessory dwelling units by exempting their value from any increases in assessed value of the property. Therefore, the Town Board has determined it is in the best interest of the Town to enact a local law providing for such real property tax exemption.

Section 2. Chapter 144 of the Town of Stanford Town Code entitled “Taxation” is hereby amended by adding the following Article V entitled “Exemption for the Creation of Accessory Dwelling Units” as follows:

Article V Exemption for the Creation of Accessory Dwelling Units

§114-16. Authority.

The Town Board of the Town of Stanford adopts this article exercising the option, pursuant to the authority contained in N.Y. Real Property Tax Law § 421-P, that from and after the first day of March 2025, the exemption of capital improvements to residential new construction involving the creation of attached and detached accessory dwelling units as defined in the Town of Stanford Zoning Code Section 164-59 shall be as follows.

Town Board Minutes

3/13/25, page 3

§114-17. Exemption Period.

Accessory dwelling units subject to § 421-P shall be exempt for a period of five years to the extent of 100% of the increase in assessed values attributable to the residential unit. In each of the subsequent three years the extent of such exemption shall be decreased by 25%, and in each of the subsequent two years the extent of such exemption shall be decreased by a further 10%.

§114-18. Eligibility Status.

Property owners shall be eligible to apply for the 421-P exemption once they have received a building permit from the Town of Stanford Building Department for the creation of the accessory dwelling unit and have received a certificate of occupancy from the Town of Stanford Building Department for the accessory dwelling unit.

§114-19. Duties of the Assessor.

The Town of Stanford Assessor shall approve, carry out, and revoke 421-P exemption status in accordance with § 421-P of Real Property Tax Law.

§114-20. Qualifying Date.

No such exemption shall be granted unless the creation of the accessory dwelling unit was commenced subsequent to the effective date of this article.

§114-21. Denial of Exemption.

No such exemption shall be granted to an applicant who is in violation of any Town of Stanford Code Section, ordinance, or local law, or owes property taxes, water or sewer fees, or any other fees or past due moneys.

Section 3. This local law shall take effect as of the date of filing with the New York Secretary of State.

 Motion carried with a roll call vote: Wendy Burton – yes; Julia Descoteaux – absent; Eric Haims – yes; Nathan Lavertue – yes; Theodore Secor – yes. Local Law #2 passed with the affirmative votes of the Town Board members present and certified this 13th day of March 2025. *Ritamary Bell, Town Clerk*

2. VOTE ON LOCAL LAW #3: A motion was made by Wendy Burton, seconded by Nathan Lavertue, to approve the local law for tax exemption for firefighters and ambulance workers serving neighboring towns.

**TOWN OF STANFORD**

**LOCAL LAW NO. 3 FOR THE YEAR 2025**

**AMENDING CHAPTER 144 OF THE TOWN CODE TO EXTEND THE EXISTING PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS TO THOSE SERVING NEIGHBORING COMMUNITIES UNDER SECTION 466-L OF THE NEW YORK STATE REAL PROPERTY TAX LAW**

 At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 13th day of March, 2025, at 7:00 p.m., Town Supervisor Wendy Burton called the meeting to order, and she, seconded by Councilperson Haims, moved the following resolution to enact the following local law, to be known as Local Law No. 3 of 2025, entitled “A Local Law Amending Chapter 144 of the Town Code To Extend The Existing Property Tax Exemption For Volunteer Firefighters And Volunteer Ambulance Workers To Those Serving Neighboring Communities Under Section 466-L of The New York State Real Property Tax Law” as follows:

 WHEREAS, the following Local Law was introduced as Proposed Local Law No. 3 of 2025, by Resolution No. 2F of 2025, adopted at a meeting of the Town Board held on February 13th, 2025; and

WHEREAS, a properly noticed public hearing was held before the Town Board during the meeting on March 13th, 2025, on this Local Law; and

WHEREAS, the Town Board has determined proposed action qualifies as a Type II action under the New York State Environmental Quality Review Act, as it involves routine or continuing agency administration and management and does not include new programs or major reordering of priorities that may affect the environment, and is therefore exempt from environmental review;

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

Section 1. Legislative intent: The New York State Legislature recently amended the Real Property Tax Law to allow any governing body of a city, village, town, county, or school district that has provided a real property tax exemption to volunteer firefighters and volunteer ambulance workers serving the municipality in which they reside to extend said exemptions to volunteer firefighters and volunteer ambulance workers who provide such volunteer services to a neighboring city, village, town, county, or school district to the municipality in which they reside by adopting a local law or resolution to that effect. The Town Board has determined that volunteer firefighters and ambulance workers provide essential services to the Town residents and residents of neighboring communities and providing such a real property tax exemption will help with recruiting new members and retaining existing members of the volunteer fire and ambulance services. Therefore, the Town Board has determined it is in the best interest of the Town to enact a local law providing for such real property tax exemption.

Town Board Minutes

3/13/25, page 4

Section 2. Chapter 144 of the Town of Stanford Town Code entitled “Taxation” is hereby amended by repealing the existing Section 144-6(A)(5) that Chapter entitled “Exemption Granted” and replacing it with a new Section 144-6(A)(5) with the following language.

(5) The Town of Stanford or a neighboring city, village, town, county, or school district is served by such incorporated volunteer fire company or fire department or incorporated volunteer ambulance service, where a neighboring city, village, town, county, or school district shall be considered neighboring for the purposes of this section if said city, village, town, county, or school district shares a border or overlaps with the Town of Stanford;

Section 3. This local law shall take effect as of the date of filing with the New York Secretary of State.

Motion carried with a roll call vote: Wendy Burton – yes; Julia Descoteaux – absent; Eric Haims – yes; Nathan Lavertue – yes; Theodore Secor – yes. Local Law #3 passed with the affirmative votes of the Town Board members present and certified this 13th day of March 2025. *Ritamary Bell, Town Clerk*

3. BURDICK PARK PRESENTATION: Judith MacDonald and Frank Sellerberg gave a brief overview of what they have accomplished so far with Burdick Park, a 5-acre parcel of land that was donated to the Town that sits between Route 82 and Hunns Lake Road. They brought beautiful renderings of the final plan that would be a nature park with an amphibian pond, a pollinator meadow, pathways and benches. They also thanked Gayle Bontecou, Bruce Lisman and the Historical Society. They were currently applying for a driveway permit with the State DOT ~~and have an RFP out~~ for paving the entrance and were still actively looking into additional grants that could help pay for future work. Dutchess County Soil & Water has offered to help and they already have many birdhouses made for the park. The trails will have an Item 4 base and cinder topping and the pond is a wetland with a natural spring. After their presentation, Wendy Burton made a motion to approve the design for the Burdick Park, completed by Wagner Hodgson, and to authorize the Supervisor to sign the necessary documents for the driveway application to the NYS DOT to improve the Park’s access entrance to the DOT’s standards, seconded by Nathan Lavertue. Motion carried with all present voting in favor.

INTRODUCTION OF LOCAL LAW #4 OF 2025 – SHORT TERM RENTALS – SET SPECIAL MEETING AND PUBLIC HEARING: Attorney Butts explained that the Town has to “fast-track” this Local Law as the State will be adopting its own law for short-term rentals by April 20th. The Town Board feels that it would be better to have this matter managed at a local level rather than by the State. A motion to have a Special Meeting on Monday April 7th, 2025 with a Public Hearing on this proposed Local Law was made by Wendy Burton, seconded by Nathan Lavertue, with the following resolution:

**TOWN OF STANFORD**

**RESOLUTION NO. 3A OF 2025**

**TO INTRODUCE PROPOSED LOCAL LAW NO. 4 FOR THE YEAR 2025**

**AMENDING CHAPTER 164 OF THE TOWN CODE**

**TO ESTABLISH RULES AND REGULATIONS FOR**

**SHORT-TERM RENTAL ACCOMMODATIONS**

 At a meeting of the Town Board of the Town of Stanford (“Town Board”), held at the Town of Stanford Town Hall on the 13th day of March, 2025, at 7:00 PM, Councilman Nathan Lavertue made a motion, seconded by Supervisor Wendy Burton, to introduce the following resolution for proposed Local Law #4:

 **WHEREAS,** a proposed Local Law has been prepared to amend the Town’s Zoning Code to provide rules and regulations for short-term rental accommodations both a principal and accessory use in all districts, for introduction 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; and

**WHEREAS**, adoption of the proposed Local Law is a Type I action, pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and 6 NYCRR Part 617.4, and

**WHEREAS**, the proposed action will not require permits and approvals from any other local, regional and State agencies, other than the Town Board prior to adoption of the proposed Local Law and therefore a coordinated SEQRA review is not required; and

**WHEREAS**, the Dutchess County Department of Planning & Development is required to review the proposed zoning amendment pursuant to GML §239-m and this review is considered an advisory opinion under SEQRA and therefore the Dutchess County Department of Planning & Development is not an Involved Agency under SEQRA and therefore not eligible to serve as Lead Agency in this action; and

Town Board Minutes

3/13/25, page 5

**WHEREAS,** pursuant to section 164-56 of the Town Code the proposed Local Law must be submitted to the Town Planning Board for a report and recommendation thereon, and this review is considered an advisory opinion under SEQRA and therefore the Planning Board is not an Involved Agency under SEQRA and therefore not eligible to serve as Lead Agency in this action;

**NOW, THEREFORE, BE IT RESOLVED,** that following proposed Local Law is hereby introduced, to be known as Proposed Local Law No. 4 of 2025, entitled “A Local Law Amending Chapter 164 of the Town Code to Establish Rules and Regulations for Short-Term Rental Accommodations” 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 short-term rental accommodations as a permitted principal or accessory use in all zoning districts and in compliance with certain requirements which are the subject of this local law, as defined in this local law. The Town Board now wishes to update the Chapter of the Town Code entitled “Zoning” accordingly.

**Section 2.** Supplementary Use Regulations for Accessory Dwelling Units. A new section "**§164-19.6 – Short Term Rental Accommodations,**" shall be added to the Zoning Law as follows:

§164-19.6 Short Term Rental Accommodations (STR).

1. Purpose. The purpose of this section is to establish a set of regulations applicable to the short-term rental of residential real property in the Town of Stanford. These regulations are in addition to all other provisions of this Chapter. In the adoption of these standards, the Town Board of the Town of Stanford (the “Town Board”) find that short-term rental accommodations have the have the potential to be incompatible with surrounding residential uses, especially when several are concentrated in the same area, thereby having the potential for a deleterious effect on the adjacent full-time residents. The Town Board recognizes the benefits of short-term rental accommodations (“STR”) to allow homeowners to supplement their income to defray the cost of housing and to provide lodging for visitors to the Town. The Town Board finds that short-term rental accommodations have the potential to have a detrimental effect on affordable housing and economic diversity in the Village, by removing dwelling units from the long term rental market and driving up demand for the limited remaining housing supply. This can result in fewer available units and increased prices or rents for those units that are available. Special regulation of these short-term rental uses is necessary to ensure that they will be compatible with surrounding residential uses, protect the health, safety and welfare of Town residents and will not act to harm or alter the neighborhoods they are located within.
2. Presumption of Dwelling Unit as Short-Term Rental Accommodation.
	1. The presence of the following shall create a presumption that all or a part of the property is being used as an STR:
		1. All or part of the property is offered for lease on a short- term rental website, including but not limited to Airbnb and VRBO, for a rental period of less than thirty-one (31) days; or
		2. All or a part of the property is offered for lease for a period of thirty-one (31) days or less through any form of advertising.
	2. The foregoing presumptions may be rebutted by documentary evidence presented to the Building Inspector sufficient to show that the premises is not operated as a STR.
3. Zoning districts. A Short-Term Rental Accommodation, as defined in §164-59, is permitted as either a principal or accessory use to a single family residence in all zoning districts in conformance with this section and all other applicable sections of the Zoning Law.
4. Commercial Nature. An STR shall be considered a commercial use and, as such, the issuance of an STR Permit shall be considered a privilege granted by the Town and not a right of a property owner.

Town Board Minutes

3/13/25, page 6

1. Standards. An STR shall only be allowed subject to an application for an STR Permit issued by the Building Inspector, renewable on a biennial basis, and in compliance with the following standards:
	1. Permit Required. Permits issued for STR shall be limited to a maximum of fifty-five (55) STR units within the Town on an annual basis. Applications will be accepted on a first-come, first serve basis until permits for fifty-five (55) units are issued. Subsequent applications will be placed on a wait list. If and when there are permits for fewer than fifty-five (55) units, the wait list will be utilized starting with the application that has been on the wait list the longest amount of time. Preference shall be given to applicants who are registered with Dutchess County prior to the effective date of this law. Such applicants already registered with the County prior the effective date of this law shall have 90 days from the effective date of this law to submit their application under the requirements of this section.
	2. Permit Term and Transferability. Permits shall be issued to the owner of the parcel (“Permit Holder”) and are not transferrable or assignable. A Permit Holder is not eligible to possess more than one STR Permit. The Permit Holder’s STR permit may include more than one STR unit or more than one parcel owned by the Permit Holder. The term of a Permit shall be two (2) years.
	3. Submission. The following shall be submitted to the building department in order to determine whether the proposed STR meets the requirements set forth herein:
		1. A floor plan to scale of the dwelling or structure in which the STR is proposed, and the location of the proposed STR shown thereon. Dimensions shall be provided of the entire dwelling or structure and STR to determine compliance with the standards set forth herein.
		2. Supporting documents, showing the location and size of the existing septic system and well, and the structures on the lot, both as they exist and as they would appear with the STR. Parking locations shall be shown.
	4. Application procedure and decision.
		1. Application. An applicant shall submit an STR application to the Building Inspector with a checklist attachment and other submissions establishing compliance with all the requirements for an STR.
		2. Fees. A bi-annual fee shall be paid per STR unit for issuance and renewal of the STR permit, together with 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.
	5. Appearance and Character. The premises shall be designed, maintained, and operated to preserve and complement the residential appearance of the site and the existing character of the surrounding area. There shall be no change permitted to the residential character of the outside appearance of the building.
	6. Responsible Party. The Permit Holder, or an agent of the Permit Holder (“Agent”), must be available at all times to respond in person, on site, within one (1) hour of notification to any issues that may arise regarding the condition, safety, operation, or conduct of guests of the STR. The contact information for the Permit Holder and Agent, if any, shall be provided to the Town as part of the STR Permit Application at time of submission, and the Permit Holder shall update this contact information as needed during the term of the STR Permit to ensure it is accurate and up to date.
	7. Inspection Required. A satisfactory inspection from the Building Inspector is mandatory prior to issuance or renewal of an STR Permit. The Applicant or Permit Holder shall arrange for and schedule such inspection directly with the Building Inspector and give reasonable access for inspections to be conducted to ensure compliance with the provisions of the Town of Stanford Code, the NYS Uniform Fire Protection and Building Code
	8. Department of Health Requirements. The premises shall be in full compliance with the standards of the Dutchess County Department of Health. The Building Inspector may require the Town Engineer to review the STR Permit application to ensure that the septic and well are able to serve the premises adequately.

Town Board Minutes

3/13/25, page 7

* 1. County and State Laws. The Permit Holder shall comply with all applicable requirements of Chapter 264, Article III of the Dutchess County Charter, Code and Ethics (Hotel Occupancy Tax) and Article 12-D of the Real Property Law of the State of New York (Short-Term Residential Units).
	2. Maximum Occupancy. The maximum occupancy for an STR shall be determined by the septic capacity established by the Dutchess Country Department of Health, not to exceed two (2) occupants per bedroom. Maximum occupancy for an STR does not include children under five (5) years of age.
	3. Location of STR. An STR shall be limited to the principal dwelling or an accessory structure on the parcel, provided, however, that an STR may not be located in an Accessory Dwelling Unit (ADU) pursuant to Section 164-19.5 of this Code.
	4. Habitable space. An STR 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.
	5. Registration Records. The Permit Holder shall collect and preserve registration records for a minimum of three (3) years and may be requested to provide said records to the Building Inspector upon request.
	6. Parking. An applicant seeking an STR Permit must demonstrate that there is area available in which to provide adequate off-street parking for the premises. A minimum of one (1) additional space per bedroom shall be provided for the STR, and parking shall be allowed in a location on the lot as required by the Zoning Law.
	7. Display of Permit. A copy of the STR Permit must be prominently displayed within the interior of the STR during the duration of its validity. The availability of the STR to the public shall not be advertised on the premises. The STR Permit Number must be included in any listing.
	8. Guest Compliance with Town Code. All guests of an STR are subject to the provisions of Section 164-15 of the Town Code and of the enforcement of Section 164-48. The Permit Holder is responsible for informing each guest of an STR of these provisions.
	9. 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. An STR 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.
	10. Smoke and Carbon Monoxide Detectors. There shall be one working smoke detector in each sleeping room and one additional smoke detector on each floor. Carbon monoxide detectors shall be installed as required by the New York State Uniform Fire Prevention and Building Code.
	11. Fire Extinguisher. There shall be a Class B-C fire extinguisher on each floor and in the kitchen. Fire extinguishers shall be inspected prior to a renter occupying the property and no less than monthly by the Permit Holder to ensure each contains a full charge. A record of the date inspected, initialed by the Permit Holder, shall be maintained and made available to the Building Inspector upon request.
	12. Display of House Number. The house number of the premises shall be displayed both at the road and on the dwelling unit so that the house number of the premises is clearly visible from both road and the driveway.
	13. Electrical System. Electrical systems for the premises shall be in good operating condition, labeled, unobstructed and shall be visible for the Building Inspector during inspections. Any defects found shall be corrected prior to issuance of an STR Permit. A current boiler or furnace service report, including a record of the date inspected, initialed by the Permit Holder, shall be maintained and made available to the Building Inspector upon request.

Town Board Minutes

3/13/25, page 8

* 1. Insurance Standards. All STR Permit holders must provide Evidence of Property Hazard Insurance and a Certificate of Liability Insurance indicating the premises is rated for Short-Term Rental Accommodations and maintain such insurance throughout the term of the STR Permit.
	2. Waste Removal. Waste removal provisions shall be made for weekly garbage removal from the STR during rental periods. Garbage containers shall be secured with covers at all times to prevent leakage, spilling, or odors, and placed where they are not clearly visible from the road except at approximate pickup time.
	3. Contract Required. STR guests and STR Permit holders must have a written rental contract, which includes the following:
		1. Maximum property occupancy;
		2. Maximum on-site parking provided;
		3. A Good Neighbor Statement stating that STR guests must be considerate of the residents in neighboring homes;
		4. All STR guests will be subject to New York Penal Law § 240.20 or any successor statute regarding disorderly conduct; and
		5. Littering is illegal.
	4. Compliance and Penalties. If the Building Inspector either witnesses or receives a written complaint of an alleged violation of this Section or a violation of the conditions of any STR Permit issued pursuant to this Section, the Building Inspector shall properly record such complaint and immediately investigate the report thereon. If the Building Inspector determines there is a violation of this Section, the owners shall be notified in writing by both first class mail and certified mail, return receipt requested of said violations and the Building Inspector may take any or all of the following actions:
		1. Impose additional conditions to the existing STR Permit.
		2. Suspend the STR Permit. The Notice of Suspension shall be provided to the property owner and a copy filed with the Town Clerk.
		3. Require corrective action that remedies the violation(s). The corrective action must be completed and approved within 30 days of Notice from the Building Inspector or the owner risks revocation of the STR Permit.
		4. Issue a court appearance ticket for violation of a Town law.
		5. Revoke the STR Permit. If an STR Permit is revoked, all owners of the property on which the STR exists shall be prohibited from obtaining an STR Permit on the property for a period of one (1) year after the date of revocation. The Building Inspector shall send Notices of Revocation to the property owners and shall file a copy with the Town Clerk.
		6. A property owner found not to be in compliance with any section of this law will be subject to a monetary civil fine in accordance with the schedule below, in addition to any and all applicable remedies and penalties found in Town Code that do not conflict with this section.
			1. A two hundred and fifty ($250.00) dollar fine will be assessed for the first offense.
			2. A five hundred ($500.00) dollar fine will be assessed for the second offense, if it occurs within a year of the first offense.
			3. A third violation within a year of the first offense will result in the revocation of the STR Permit.
	5. Renewal of Permit.
		1. STR Permits will automatically expire after a two (2) year term, but may be renewed prior to expiration for a subsequent two (2) year term by Permit Holders in good standing.
		2. Renewal STR Permits will be granted for an additional 2-year term if the following conditions are met:
			1. Application for renewal of the STR Permit shall be made no less than thirty (30), nor more than forty-five (45), days prior to expiration of the current STR Permit and be accompanied by the renewal fee.

Town Board Minutes

3/13/25, page 9

* + - 1. At the time of application for renewal, the Permit Holder must present the previous STR Permit.
			2. The property must undergo a new inspection performed by the Building Inspector pursuant to the requirements of Subsection (7) above.
			3. Any violations must be remedied prior to renewal of an STR Permit.
	1. Grounds for Suspension or Revocation of Permit. The Building Inspector may immediately suspend or revoke an STR Permit based on any of the following grounds:
		1. Permit Holder has falsified or failed to provide information in the application for a permit or the application for STR Permit renewal.
		2. Permit Holder failed to meet or comply with any of the requirements of this Section.
		3. Permit Holder is in violation of any provision of the Code of the Town of Stanford.
		4. Applicant has been found guilty by a court of law of a violation of any provision of the Penal Code of the State of New York, which violation occurred at the premises on which the STR exists, or is related to the occupancy of the STR.
		5. Any conduct on the property on which the STR exists, which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.
		6. Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.
	2. Appeals and Hearings. The Permit Holder or owner of the premises is entitled to appeal a determination by the Building Inspector to the Zoning Board of Appeals in accordance with Section 164-51.

**Section 3.** District Schedule of Use Regulations. Under **§164-8 – District Schedule of Use Regulations, Subsection (E)**, the use "Short-Term Rental Accommodation in accordance with §164-19.6" shall be added and an entry of “P††” under the following categories: “CR,” “AR,” “RR,” “RC” and “LR.” Additionally, the following provisions shall be added to the section entitled “Notes” at the end of §164-8 (E):

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

**Section 4.** Definitions.The following definition shall be added to **§164-59 - Definitions**:

“Short-Term Rental Accommodation (“STR”)- A single-family detached home or accessory structure, or portion thereof, offered for rent or lease for an occupancy of fewer than thirty-one (31) consecutive days, the rates for which include lodging only, and no other commercial services are offered. The term ‘Short-Term Rental Accommodation (STR)’ does not include Bed and Breakfast Establishment as regulated by the Town of Stanford Zoning Code. An Accessory Dwelling Unit (ADU) pursuant to Section 164-19.5 of this Code may not be used as an STR.”

**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**, pursuant to the applicable standards of the SEQRA regulations contained in 6 NYCRR Part 617, the Town Board hereby declares itself Lead Agency for purposes of SEQRA for this Type 1 action; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby adopts and authorizes circulation of a copy of Part I of the Full EAF, a copy of which is annexed hereto, pursuant to the requirements set forth in 6 NYCRR Part 617; and

Town Board Minutes

3/13/25, page 10

**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 Monday, April 7th 2025, 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.

The foregoing resolution was voted upon with all Board members voting as follows: Wendy Burton, Supervisor – yes; Nathan Lavertue, Councilperson – yes; Julia Descoteaux, Councilperson – absent; Eric Haims, Councilperson - yes; Theodore Secor, Councilperson – yes.

Dated: March 13th, 2025

 Stanfordville, New York *Ritamary Bell, Town Clerk*

5. POLICY APPROVALS – BLOODBORNE PATHOGENS & HAZARD COMMUNICATION AND WORKPLACE VIOLENCE: A motion was made by Wendy Burton, seconded by Nathan Lavertue, to approve the Town’s policies for Bloodborne Pathogens & Hazard Communications and Workplace Violence. Motion caried with all present voting in favor. All policies will be on file in the Town Clerk’s office.

6. FREEDOM OF INFORMATION LAW POLICY APPROVAL: A motion was made by Wendy Burton, seconded by Eric Haims, to approve the Town’s FOIL policy as follows:

TOWN OF STANFORD

Policy Section: (06) Records

Approval Date: 3/13/2025

Policy: (06) (a) Public Access to Records

1. Summary. This policy provides information concerning the procedures by which Town of Stanford records may be obtained.

 2. Premises.

The People's right to know the process of government decision making and the documents and statistics leading to determinations is basic to our society.

Personnel shall furnish to the public the information and records required by New York’s Freedom of Information Law,as well as records otherwise available by law.

Any conflicts among laws governing public access to records shall be construed in favor of the widest possible availability of public records.

3. Records access officer.

The Town Board of the Town of Stanford is responsible for ensuring compliance with this policy, and the Town Board shall appoint a records access officer to assist said Board in the administration of this policy.

The records access officer shall be responsible for ensuring appropriate agency response to public requests for access to records. The designation of a records access officer shall not be construed to prohibit officials who have in the past been authorized to make records or information available to the public from continuing to do so.

The records access officer shall ensure that personnel:

Maintain an up-to-date subject matter list.

Assist the requester in identifying requested records, if necessary.

Upon locating the records, take one of the following actions:

Make records available for inspection.

Deny access to the records in whole or in part and explain, in writing, the reasons therefor.

Upon request for copies of records:

Make a copy available upon payment or offer to pay established fees; or

Permit the requester to copy those records.

Upon request, certify that a record is a true copy.

Upon failure to locate records, certify that:

The Town of Stanford is not the custodian for such records; or

Town Board Minutes

3/13/25, page 11

The records of which the Town of Stanford is a custodian cannot be found after diligent search.
4. Location of records.

Records shall be available for public inspection and copying at the Town Hall.

5. Hours for inspection.

Requests for public access to records shall be accepted and records produced during all hours regularly open for business.

6. Request for access.

A written request may be required, but oral requests may be accepted when records are readily available.

A response shall be given regarding any request reasonably describing the record or records sought within five business days of receipt of the request.

A request shall reasonably describe the record or records sought. Whenever possible, a person requesting records should supply information regarding dates, file designations or other information that may help to describe the records sought.

If the records access officer does not provide or deny access to the records sought within five business days of receipt of a request, he or she shall furnish a written acknowledgment of receipt of the request and a statement of the approximate date when the request will be granted or denied. If access to records is neither granted nor denied within 10 business days after the date of acknowledgment of receipt of a request, the request may be construed as a denial of access that may be appealed.

7. Subject matter list.

The records access officer shall maintain a reasonably detailed current list, by subject matter, of all records in his or her possession or control.

The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.

The subject matter list shall be updated not less than twice annually. The most recent update shall appear on the first page of the subject matter list.

8. Denial of access; appeals.

Denial of access to records shall be in writing, stating the reason therefore and advising the requester of the right to appeal to the individual or body established to hear appeals.

If requested records are not provided promptly, such failure shall also be deemed a denial of access.

The Town Board of the Town of Stanford shall hear appeals for denial of access to records under the Freedom of Information Law.

The time for deciding an appeal by the body designated to hear appeals shall commence upon receipt of a written appeal identifying:

The date of the appeal.

The date and location of the request for records.

The records to which the requester was denied access.

Whether the denial of access was in writing or due to failure to provide records promptly as required by this policy or applicable law.

The name and return address of the requester.

The body designated to hear appeals shall inform the requester of its decision, in writing, within 10 business days of receipt of an appeal.

The body designated to hear appeals shall transmit to the Committee on Open Government copies of all appeals upon such receipt of appeals. Such copies shall be addressed to the Committee on Open Government, Department of State, 162 Washington Avenue, Albany, New York 12231.

The body designated to hear appeals shall inform the appellant and the Committee on Open Government of its determination, in writing, within 10 business days of receipt of an appeal. The determination shall be transmitted to the Committee on Public Access to Records in the same manner as set forth in Subsection [**F**](https://ecode360.com/print/13935874#13935874)of this section.

9. Fees.

There shall be no fee charged for:

Inspection of records.

Search for records.

Any certification pursuant to this chapter.

The fee for photocopies not exceeding 81/2 inches by 14 inches is $0.25 per page.

Town Board Minutes

3/13/25, page 12

Fees for copies of records other than photocopies shall be the actual copying cost, excluding fixed agency costs such as salaries, except when a different fee is otherwise prescribed by statute.

10. Public notice.

A notice containing the title or name and business address of the records access officer and appeals body and the location where records can be seen or copied shall be posted in a conspicuous location wherever records are kept and/or published in a local newspaper of general circulation.

Motion carried with all present voting in favor.

7. RAISE DOG SEIZURE FEES: At the request of the Town Clerk, a motion was made by Wendy Burton, seconded by Teddy Secor to increase the fees that the Dog Control Officer is allowed to charge for picking up a loose dog from $25 to $30 for the 1st offense, from $50 to $60 for the 2nd offense, and from $100 to $120 for the 3rd offense. Motion carried with all present voting in favor.

8. ACCEPT PROPOSAL FOR HVAC SPLIT IN THE TOWN HALL BASEMENT RECORDS ROOM: After receiving two RFPs for the basement HVAC work ,the cost was higher than anticipated for two units: Fox Air - $14,950 and Bottini - $$18,920. After discussion, a motion was made by Wendy Burton, seconded by Nathan Lavertue, to have Fox Air install one split in the amount of $7,475 to see if only one unit would be sufficient. Motion carried.

9. APPOINT JOHN ABB TO HISTORIC PRESERVATION COMMISSION: At the request of Historian Kathy Spiers, a motion was made by Wendy Burton to appoint John Abb to the Historic Preservation Commission to the vacant seat formerly held by Carlos Parreira. Motion seconded by Nathan Lavertue, with all present voting in favor. Motion carried.

10. APPROVAL OF MINUTES: The Minutes of the February 13th, 2025 meeting were approved as written on a motion made by Wendy Burton, seconded by Eric Haims. Motion carried.

11. APPROVAL OF ABSTRACTS: Abstract #3 for March 2025 was approved on a motion made by Wendy Burton, seconded by Nathan Lavertue, as follows:

General Fund: check #s 8288-8341 in the amount of $ 70,687.42
Highway Fund: check #s 4725-4742 in the amount of $ 73,001.21
Bangall Lights: check # 3082 in the amount of $ 1,011.98
Ambulance: check # 8320 in the amount of $ 62,500.00
Escrow: check # 1059 in the amount of $ 376.25

Motion carried with all present voting in favor.

OTHER: After the Zoning Board of Appeals had interviewed him, and both Supervisor Burton and Councilman Lavertue had also met with him and were impressed, a motion was made by Wendy Burton, seconded by Nathan Lavertue, to approve the appointment of Andrew Ellis to the ZBA. Motion carried with all present in favor.

PRIVILEGE OF THE FLOOR: Judith MacDonald, Decker Road, asked if there would be a limit on the number of short-term rentals and was told yes.

 With no other business, a motion to adjourn the meeting at 8:10 PM was made by Wendy Burton, seconded by Nathan Lavertue. Motion carried.

 Respectfully submitted,

 Ritamary Bell
 Town Clerk