

Letter to the Town of Bedford Town Board

January 29, 2015

Hon. Christopher Burdick and
Members of the Town Board
Town Hall
321 Bedford Road
Bedford Hills, NY 10507

Dear Supervisor Burdick and Members of the Board:

We, the Trustees of The Stepping Stones Foundation, submit the following in support of The Stepping Stones Foundation's application to the Town of Bedford for a "Special Use Permit."

As members of the Stepping Stones Board of Trustees we serve the Foundation in a volunteer capacity. No trustee receives monetary compensation from the Foundation. Our stated commitment, as individuals and as a Board of Trustees, is to uphold the mission of the Foundation as articulated by Lois Wilson in 1979 when the Foundation was established (headed by Lois Wilson). **That mission is to preserve the historic home of Bill and Lois Wilson, co-founders respectively of Alcoholics Anonymous and Al-Anon Family Groups, and to commemorate their achievements in the field of recovery from alcoholism.** The Wilsons moved to the property in 1941 and Lois co-founded Al-Anon Family Groups Clearinghouse at Stepping Stones in 1951. As President, Lois led the Stepping Stones Foundation's activities—seminar, visits, archiving, etc.—on the property since the Foundation's establishment in 1979. The Foundation has continued since Lois' death in 1988 to maintain the Wilson home, its contents and archives, as well as offering guided tours and educational programming.

As the Town Board is aware from the volume of letters received over the last four years from Stepping Stones supporters near and far, the significance and importance of this National Historic Landmark extends around the world. Millions of people have been affected by the life work of Bill and Lois Wilson, work that is explained and honored at the Stepping Stones site. Because the special use permit application process has extended for a number of years—pre-dating some Town Board members' tenure—we present in this letter a history of the Foundation's experience with this process. **Importantly, we seek to correct aspects of the history of the Stepping Stones' property and of the procedural stance of our Special Use Permit application that have been distorted by opponents of our operation.** Stepping Stones has followed the process outlined by the Town Board and at each step of the way has provided studies with historical references, data and factual evidence to support the record.

This letter serves to review the Foundation's role in the process and to correct and clarify, for the record, distortions or incorrect assertions that have arisen.

Historic Use of Stepping Stones

Opponents of the Special Use Permit inaccurately claim that prior to Lois Wilson's death in 1988, the property was used only as a single family home. The facts, supported by significant written and photographic documentation, demonstrate that Stepping Stones was a focus for Bill and Lois Wilsons' work throughout their lives, and that since 1941, the property has been continually used as a gathering place for people interested in and connected to that work.

In 1941 Bill and Lois Wilson moved to the Bedford property that they named Stepping Stones. They accessed their property from Cherry Street, via a deeded right of way (neither Oak nor Woodfield roads existed). From the beginning, Stepping Stones was more than just the home of this illustrious couple. It was a hub of activity as Alcoholics Anonymous (A.A.) emerged from its infancy to become the worldwide fellowship that it is today. From 1941 until Bill and Lois' respective deaths in 1971 and 1988, the couple's open house policy brought thousands of visitors to Stepping Stones along with many conferences, meetings and picnics. Stepping Stones has records and archives documenting the continuous use of the property in this manner from 1941 through to today. These records are reconfirmed by anecdotes and recollections of historians, biographers, other neighbors, and family members of the Wilsons who have testified, as well as written letters and affidavits in support of our application.

History of the Stepping Stones Foundation

Opponents of the Special Use Permit assert that the Foundation changed the use of the property after Lois' death in 1988. The historic record clearly shows evidence to the contrary.

In 1972, over 40 years ago, and some years before the Stepping Stones Foundation was in fact established by Lois Wilson in 1979, Lois wrote a document entitled "Disposal of Stepping Stones." In it she stated her intention of donating her property for the benefit of the members of A.A. and for the members of the A.A. General Service Conference to use... [and] where members [of A.A. and Al-Anon], could come, individually or in groups, for study or meditation,...or, Lois continued, to entrust the property to a 'Trust' or Foundation for that same purpose. The latter was the path Lois eventually chose.

Lois Wilson in 1979, 36 years ago, and some nine years before her death in 1988, established the Stepping Stones Foundation. From 1979 to 1988, Lois herself ran the Foundation. It was Lois Wilson, not the current Board, who determined the Foundation's objectives and purposes. The Foundation itself long preceded the arrival in the neighborhood of the neighbors now opposed to the special use permit. While it was not until after Lois's death in 1988 that the Foundation actually took possession of title to the property, the Foundation itself was already active on site under Lois' leadership through the 1980s.

For example, an alcoholism treatment conference was convened by Lois in 1984, an event which Lois called one of the high points of her life. A second conference, convened after her death, was held in 1993, attended by, amongst others, Senator Harold Hughes, who was instrumental in advancing the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act, commonly referred to as the Hughes Act. The "Stepping Stones Accords" on recovery, resulted from the conference held by the Foundation.

The Stepping Stones Foundation has been active on the grounds at Stepping Stones for a long, long time.

Origins of Stepping Stones' Mission

Opponents to the Special Use Permit claim that the Foundation has changed Stepping Stones into something that it was never intended to be. The record is clear that the Wilsons took great pains to ensure Stepping Stones' continuation and future.

The late Mike Alexander served as attorney to both Bill and Lois Wilson. He drew up the testamentary documents that governed their estates. In addition to those documents, Mike repeatedly stated that Lois' intent was to maintain Stepping Stones as it then existed. That effort has governed the Foundation's mission since its inception. There was assuredly no talk of diminishing the actual level of activity on the site. In fact, in personal correspondence housed in the Stepping Stones archives, Lois wrote that she hoped the site would be even more actively used in the years ahead.

The Stepping Stones Board is solely dedicated to be of service by advancing the purposes Lois Wilson articulated in creating The Stepping Stones Foundation. The current Board of Trustees has not revised or changed the Foundation's mission or activities from Lois Wilson's wishes.

Stepping Stones' Board members receive no payment for their services and each follows a strict Conflict of Interest policy that precludes any Board member from even indirectly profiting from Board service. Attacks directed against Stepping Stones' Trustees are therefore misdirected. Not one Trustee serves for personal gain. We speak solely on behalf of the intended beneficiaries of Lois' estate, and only on their behalf. We have a legal and a moral obligation to do so.

Voluntary Compliance with Proposed Conditions (or Protocols)

During the course of Stepping Stones' application process, the Planning and Zoning Boards developed conditions on Foundation operation that they viewed as sufficient to satisfy Town regulations as well as those they heard from those opposed to the application. The Foundation freely agreed to begin implementation of these conditions, even though we are aware that some of the visitation limits imposed represent usage below what is reflected in the historic record (e.g., reports show that annual picnics have exceeded 600). We do not view the limits in the conditions as objectives to be obtained, but merely as reflections of usage in recent years with a small, reasonable cushion.

The Planning and Zoning Boards developed the operating conditions based on recent (last few years) records of tour visit activity at the site, as well as studies of actual current usage such as the level of automobile trips in and out of the property that are fewer than the average single family household. This appropriately evidence-based approach is documented and should not be arbitrarily circumscribed. The conditions adopted by the Planning Board and the Zoning Board of Appeals are an attempt to address minor issues of a few neighbors without diminishing the overall visitation opportunities that the intended beneficiaries of Lois' legacy would have to visit this National Historic Landmark. **While under no obligation to adopt the conditions at the time they were developed by the Planning and Zoning Boards, Stepping Stones voluntarily agreed to alter some operating protocols that had been in place for decades as part of our continuing efforts to be good neighbors. From the Spring of 2013 through the present Stepping Stones has acted in good faith following the Planning and Zoning Board conditions.**

After Assiduously Following Town Processes, Late-Stage Changes Arise

We are dismayed that the Town Board has apparently determined to set aside the spirit of the recommendations of both the Planning Board and the Zoning Board of Appeals (ZBA) by refusing to base key operating conditions of a Special Use Permit for Stepping Stones on those developed and approved by the Town Board's own appointed citizen volunteer boards for zoning and planning. These conditions were developed and approved based on factual evidence and site visits, not on anecdotes, emotion and hyperbole.

The Town Board's additional decision to disregard its own prior actions concerns us. When acting as Lead Agency on SEQRA, the Town Board issued a "negative declaration" of environmental impact, citing the very same conditions it now chooses to substantially alter.

This most recent Town Board action makes it clear that recently proposed changes to the operating conditions have not been based on the facts in evidence in this application. It appears that the Town Board has based its latest changes on the unsubstantiated claims of a small group who do not wish to coexist with a National Historic Landmark that celebrates the undeniably great accomplishments of a Bedford couple who changed the face of alcoholism and drug addiction treatment and recovery worldwide.

When Stepping Stones first applied for this special use permit, then-Supervisor Lee Roberts, Town Attorney Joel Sachs and Director of Planning Jeffrey Osterman laid out for Stepping Stones' representatives the procedure to follow. In those meetings and in subsequent open meetings of the Town Board it was determined that before the Town Board would take up the application, Stepping Stones must follow an unusually long and circuitous path directed by the Board – **a path that no other philanthropic organization in Bedford has been required to follow**. It was also at that time that the Town Board, on the advice of Town Attorney Sachs, designated itself Lead Agency in the SEQRA action.

In the interest of cooperation, The Stepping Stones Board reluctantly agreed to this time-consuming and expensive legal route. This process eventually caused us to appear numerous times before the Planning Board and the ZBA over a period of about four years. The reasoning, we were told, was that with this extended process all interested parties would be heard and the Boards would have the opportunity to do their jobs. We were told that if we were successful in gaining the approval of the Planning Board, and after obtaining a zoning variance from the ZBA, the Town Board would act affirmatively on the Planning Board's recommendation and either issue or deny a permit. **The Planning Board recommended issuing a permit with conditions, conditions Stepping Stones has voluntarily put in place even though some experts believe they are not legally in effect. Now, more than two years later, the Town Board is considering a resolution which would ignore the recommendations of the Planning Board, sidestep the conditions of the Zoning Board of Appeals, and violate the Town Board's own earlier determination of significance under SEQRA despite a great deal of time, energy and expense that has already been expended over the years by its citizen boards, the applicant, and others. In contrast, the few similar applications ever to appear before Bedford Town Boards were handled through a more streamlined process in mere months.**

The Planning Board members, Zoning Board of Appeals and Town staff went to great lengths to give the application a fair hearing. The entire Planning Board participated in at least two site visits as well as additional site visits by individual members. No less than eight (8) Planning Board meetings were held. At almost every one of these meetings, residents were given unlimited time to voice their concerns.

As part of this process, Stepping Stones commissioned a traffic study, which was reviewed and accepted by the Town's independent traffic expert. The conclusion of the traffic study was that Stepping Stones tour guests generate fewer automobile trips than a single family home; certainly much less traffic than the multiple single family homes that could be built on the eight-plus-acre site. The study was updated in November 2014 and continues to show that the site's visitors still generate less than half the number of trips of an average single family home.

Among the small number of neighbors opposing the permit application (11 households out of approximately 90 total neighborhood households) are residents who have stated that they would rather have 10 or more houses on the site (as allowed under current zoning ordinances) than Stepping Stones. This seems totally inconsistent with the position that the traffic impact of the site is the main problem. Stepping Stones typically has no visitors at all on more than 100 days each year. Traffic would be far greater with a housing development, so traffic issues alone do not seem to be what motivates this small group to stand against this National Historic Landmark's continued low-key operation.

Nonetheless, the Planning Board continued its review and proposed an operating protocol in late 2011. For the next several months, the Planning Board listened to comments from both Stepping Stones and residents and issued a final set of conditions on September 11, 2012. Through the acceptance of those conditions, Stepping Stones agreed to cap annual attendance, to cap its annual picnic (now entering its 64th year) and to greatly limit the number of group visits at lower than some levels seen in recent years.

In the Planning Board's report to the Town Board on September 11, 2012, they said in part:

"The Planning Board has engaged in a series of discussions regarding the operation of this use with representatives of Stepping Stones and members of the neighborhood...in the Planning Board's opinion, these recommended operating guidelines contain elements of all of the above documents and reflect the current use of the Stepping Stones property. These Guidelines provide for continuing operation of the Stepping Stones property and include modifications to mitigate the impacts this use currently has on the surrounding neighborhood."

The Planning Board recommends approval of the proposed Special Use Permit in accordance with these guidelines. With the implementation of these guidelines, the proposed operation will not have a negative effect on the property as defined by the New York State Environmental Quality Review Act (SEQRA) and that the Town Board should issue a negative Declaration under SEQRA for this proposal."

In fact, the Town Board agreed with the Planning Board's recommendation and on January 22, 2013 issued a legal finding under State Law, which said in part:

"The Town Board of the Town of Bedford as lead agency has determined that the proposed action described below will not have a significant impact."

With that part of the process resolved, and at the Town Board's direction, Stepping Stones applied for a variance, filed in 2011, to the Zoning Board of Appeals for relief from the requirement that a philanthropic or eleemosynary use property have frontage on a County or State road. As noted earlier, in 1941, when the Wilsons moved into Stepping Stones, they accessed their property from Cherry Street, via a deeded right of way. Historic records and papers document the Wilsons' original address as "Cherry St., Bedford Hills." In 1947, the Town asked Lois Wilson to relinquish her rights to her access road, to allow the Town to create Woodfield Road and subsequently Oak Road so that a developer could build a tract of raised ranch houses on the property. Lois agreed. Ironically, these are the very houses whose residents now question Stepping Stones' right to operate the way it has for over seventy years.

Hearing All Voices and Opponents' Failed Legal Challenge

Opponents of the Special Use Permit assert that they have not had sufficient opportunity to voice their concerns. The record is clear that the Town-prescribed special process, a process that has now extended almost half a decade, provided unprecedented opportunity for public comment.

The ZBA, Bedford's appointed volunteer citizen board, took extraordinary measures to allow all of the parties to be heard. After a three-year process before the ZBA, with appearances of the neighbors (at the time represented by counsel) and Stepping Stones, the ZBA approved the application and issued the variance. The ZBA considered and based the approval, in part, upon the Planning Board's findings and recommendations and on the Town Board SEQRA finding of "no significant impacts" in their determination.

After this unprecedented, exhaustive process, Stepping Stones, with the Planning Board's approval, the ZBA variance, and the "negative declaration" under SEQRA in hand, asked the Town Board to take up the application. As the Board prepared to consider the Special Use Permit, select neighbors decided to challenge

the Town ZBA, the Town Board and the Town Building Inspector, and the Stepping Stones Foundation in State Supreme Court with an Article 78 proceeding that sought to overturn the ZBA variance.

This small group's suit was flawed on almost all legal and factual levels. Again, Stepping Stones was unreasonably subjected to outrageously false statements by the petitioners. Nevertheless, Stepping Stones—at its own expense—defended the Town, the Zoning Board of Appeals and the Town Building Inspector as the Town joined Stepping Stones' Motion to Dismiss. **The judge rejected the opposing party's demand for a show cause order. Ultimately, Stepping Stones Notice of Motion to Dismiss, and the undeniable facts in the case, caused the petitioners to withdraw their suit with prejudice, barring them from bringing this action before the Court again.**

Request that Permit Be Granted

Now, after more than four years of exhaustive work by Stepping Stones, the Planning Board and the Zoning Board of Appeals, as well as having to deal with a baseless lawsuit filed and discontinued by certain neighbors, Stepping Stones finds itself in a position where the Town Board, has—with any new evidence or any change in circumstances—decided to entertain new and further conditions many of which are improper. The conditions and protocols developed, using documentary and historic information and approved by the Planning and Zoning Boards, more than ameliorate the slight concerns of a few while respecting the historic mission and international significance of this National Historic Landmark. No further conditions are appropriate.

The Stepping Stones Foundation is the lawful owner of this wonderful historic resource, and, as such, also has property rights to preserve and defend. The time and money the Foundation has been forced to expend in this extended approval process has, in each instance, been necessarily drained from funds that would otherwise be available for historic preservation. Nonetheless, the Stepping Stones' Board is fully prepared to pursue any necessary remedy, to ensure that the Foundation's legal property rights are secured for the benefit of this generation and those to come.

We ask that the Special Use Permit be granted with those prior limits in mind and in accordance with the protocols already adopted, which, as the Planning Board stated in its recommendation of September 11, 2012, “reflect the current use of Stepping Stones property.”

Respectfully Submitted,

John C. Koster, Pres.

Don Harrell, VP

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Matthew J. Gruber

James F. Moogan

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Submitted on Jan. 29, 2015 by Sally Corbett, Executive Director, The Stepping Stones Foundation, as authorized by and on behalf of the Board of Trustees of the Stepping Stones Foundation,