

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
July 19, 2011**

MEMBERS PRESENT

Mike McCormack, Chairman

Gerald Dolan
Paul Thomas
Robert Marrapodi

Arlene Campbell, Secretary

MEMBERS ABSENT

Art DePasqua

Tracie Ruzicka

Eliot Werner

ALSO PRESENT

Dean Michael, Liaison Officer

Chairman McCormack called the meeting to order at 7:433 p.m.

AREA VARIANCE APPLICATION:

None

PUBLIC HEARING:

None

APPLICATION:

Ed Kolor and Anderson Center Services Lot Line Adjustment – properties on 93 and 91 E. Meadowbrook Lane with **Tax Grid Nos. 6367-00-588466 & 6367-00-522479**, respectively.

Applicants wish to do Lot line adjustment in order to maintain the existing riding trail.

Richard Olson representing Anderson Center Services and Ed Kolor appeared for this case.

Mr. Olson explained that Anderson Center Services is currently in contract to buy the adjacent property (i.e., 91 E. Meadowbrook Lane) of Ed Kolor's property. There is an existing riding trail that traverses both parcels. In order to ensure the continued operation of the riding trails, Mr. Kolor stated that he decided to buy the rear part of the horse trail. Anderson Center Services and Ed Kolor executed a contract of sale to transfer 1/3 acre portion of the adjacent property to Mr. Kolor. Mr. Olson pointed out on the map how property lines are going to move. Lastly, Mr. Olson noted that the closing sale of this property is scheduled for August.

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Mr. Kolor stated that both his lawyer and Mr. Olson agreed that it would be best if the title transfer of this property takes place at the same time that the Anderson Center Services takes title to the adjoining property.

Chairman McCormack opened questions to the board.

The board reviewed the site plan. Mr. Dolan indicated a couple of items that are missing from the map, such as an Area Map and the Zoning District. Mr. Kolor stated that the zoning district is listed on a separate sheet.

Mr. Dolan motioned to accept the requested waiver of the Area Map, seconded by Mr. Marrapodi, All Aye, Motion carried, 4-0.

Mr. Dolan commented that this is a pretty straightforward application.

The board agreed to pass a resolution, to wit:

Mr. Dolan motioned that the Town of Clinton Planning Board approve the following resolution:

BE IT RESOLVED, the Town of Clinton Planning Board grant conditional approval for a Lot Line Adjustment of the lands owned by **Edward J. Kolor Jr.** located at 93 E. Meadowbrook Lane, **tax grid #132400-6367-00-588466** (Lot 2) and **Anderson Center Services, Inc.** located at 91 E. Meadowbrook Lane, **tax grid #132400-6367-00-522479** (Lot 1),

WHEREAS;

1. The intent of this action is to transfer 0.302 acre of land from Lot 1 to Lot 2 as shown on the Lot Line Adjustment plat created by Donald L. Brewer, L.S., license #049803, dated June 25, 2011 for the purpose of preserving horse riding trails currently along the northern edge of Lot 1.
2. As a result of the transfer of properties, the lands of tax grid #132400-6367-00-588466 (Lot 2) will increase in size from 7.263 acres to 7.565 acres, and the lands of tax grid #132400-6367-00-522479 (Lot 1) will decrease in size from 7.359 acres to 7.057 acres.
3. The lands under consideration have not been granted a special permit or other permit that would be void as a result of this action.
4. Since a lot line adjustment is a Type II action under SEQRA, no further SEQRA review is required.
5. The property is not located within the Ridgeline, Scenic and Historic Preservation Overlay District.
6. An Agricultural Data Statement was provided as this property borders a farm within an agricultural district.
7. The proposed lot line adjustment does not create a substandard lot or render any

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- lot more substandard than it may already be.
8. The properties involved are not in a CEA.
 9. There are no known violations on lots per Zoning Enforcement Officer that would prevent granting of this request.
 10. At its 7-19-11 meeting, the Planning Board agreed to waive one item from the Lot Line Adjustment as indicated in the minutes of the meeting.
 11. The applicants' Lot Line Adjustment plat will meet all the requirements of the Town of Clinton's Subdivision and Lot Line Adjustment Regulations once the conditions are satisfied.
 12. All appropriate fees have been paid.

NOW THEREFORE, BE IT RESOLVED, the requested Lot Line Adjustment is granted approval by the Town of Clinton Planning Board when the following **conditions** are met:

- a. The zoning district designation of AR-3 is added to the map.
- b. Owners of the properties sign off on the Lot Line Adjustment Map.

Seconded by Mr. Thomas.

Discussion: Mr. Marrapodi asked the applicant to add the zoning district on the Mylar.

Mr. Olson suggested to label the parcels, lots 1 and 2 for description purposes. The board agreed to label Anderson's property as Lot 1 and Kolor's property as Lot 2.

Chairman McCormack stated that the property owners should sign the signature box on the map. The board agreed to include this as a condition to the final approval.

All in favor, Aye, Motion carried 4-0.

Auspitz Site Plan and Special Permit Application – property owned by Jack and Marion Auspitz located on 297 Fiddlers Bridge Road, **Tax Grid No. 6367-00-117965**.

The applicants are seeking Site Plan and Special Permit in order to build a detached one-bedroom apartment.

Terrance Griffin, applicant's builder appeared on behalf of the applicants.

Mr. Griffin explained their proposal. The Auspitzes are currently in process of building a detached two-car garage. They want to convert the above storage into a one-bedroom studio apartment as a guesthouse. This could also be a caretaker's house in the long run. Mr. Griffin noted that he doesn't think that the Auspitzes have the intention of renting this out. Mr. Griffin stated that the septic system is currently in process.

Chairman McCormack asked for questions and comments from the board.

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Mr. Marrapodi expressed his comments. There's a lot of information on the map. He noted that the area of concentration of a Site Plan is the site enlargement showing the structures and all the setbacks.

Mr. Marrapodi indicated the items that are needed on the map. The Zoning District should be noted with the tabulation of the square footages of the existing house and proposed building, dimension and height of the existing house and the proposed structure should be indicated and a letter of intent about the new septic system (Board of Health Approval) should be submitted. Mr. Griffin agreed.

Mr. Marrapodi asked Mr. Griffin if he can ask the Auspitzes to submit a Letter of Acknowledgement of page 30 Sec. D paragraph 4 of the zoning regulations. Mr. Griffin agreed.

Sec. 250-29-D (4) of the Town of Clinton Zoning Regulation (Accessory Dwelling Units) states that "The applicant shall acknowledge in writing to the Planning Board of the Town of Clinton, with a copy to be filed with the Zoning Administrator, the understanding that should subdivision of the parcel later be proposed, not less than the minimum specified acreages must be provided for the principal dwelling and its accessory unit, if their certificates of occupancy are to be maintained."

Mr. Thomas asked if the garage is an existing building. Mr. Griffin responded, "No," the structure is currently being built.

Mr. Thomas asked about the septic system. Mr. Griffin responded that they decided to have a separate septic system which is off to the side of the structure. This area has good drainage. The other areas of the property are pretty rocky.

Mr. Thomas asked if there is going to be a kitchen. Mr. Griffin responded, "Yes." He discussed the plan about the interior of the proposed structure.

Mr. Marrapodi asked if interior stairs are enclosed. The applicant responded, "Yes."

Mr. Marrapodi noted that there should be a fire separation between the garage and open stairs of the apartment. Mr. Griffin responded that there are fire separations everywhere. He pointed out on the map the fire doors of the proposed structure.

The board agreed to declare lead agency.

Mr. Marrapodi motioned that the Town of Clinton Planning Board approve the following resolution:

Be it Resolved, that the Town of Clinton Planning Board hereby declares itself lead agency for review of the project pursuant to Sections 617.6(2) and (3) of 6 NYCRR 617, in the matter of **Jack and Marion Auspitz Site Plan and Special Permit Application**

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for an Accessory Apartment located at 297 Fiddlers Bridge Road, Tax Grid No. 6367-00-117965 for this unlisted and uncoordinated action with Short Form EAF.

Seconded by Mr. Dolan, All Aye. Motion carried, 4-0.

Public hearing is set for September 6, 2011.

APPROVAL OF MINUTES:

Mr. Marrapodi motioned to accept the minutes of 6-7-11 as amended, seconded by Mr. Thomas, all Aye, Motion carried, 4-0.

ADJOURNMENT

Mr. Marrapodi motioned to adjourn the meeting at 8:30 pm, seconded by Mr. Dolan, All Aye, Motion carried, 4-0.

Respectfully Submitted,



Arlene A. Campbell, Clerk
Planning & Zoning Board of Appeals

Cc: Carol Mackin, town clerk