

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
January 22, 2013**

MEMBERS PRESENT

Mike McCormack, Chairman
Art DePasqua
Gerald Dolan

Robert Marrapodi
Paul Thomas
Eliot Werner

MEMBERS ABSENT

Tracie Ruzicka

ALSO PRESENT

Arlene Campbell, Secretary

Chairman McCormack called the meeting to order at 7:30 p.m.

VARIANCE APPLICATION:

None

PUBLIC HEARING:

Gladstone Site Plan and Special Permit – property owned by Marie-Claire Gladstone located at 137 Hollow Road, **Tax Grid No. 6267-00-513506.**

The applicant wishes to convert an existing barn into a one-bedroom guesthouse. This is a 12.37-acre lot in an AR5A Zoning District.

Kevin Halton, builder, along with Kurt Schollmeyer, Engineer, appeared on behalf of the property owner.

Mr. Schollmeyer explained his project to the public as indicated above. The footprint of the building will remain the same. They are proposing a new septic system that is currently being reviewed by the Board of Health. Mr. Schollmeyer also explained why they need a variance to increase the number of accessory structures (from three to four). He noted that the Planning Board issued a positive recommendation to the Zoning Board of Appeals at the last meeting.

Mr. DePasqua motioned to open the public hearing, seconded by Mr. Dolan, All Aye, Motion carried, 6-0.

Fred Marcus, 150 East Cookingham Drive, asked about the details of the septic system. Mr. Schollmeyer explained the details of the proposed septic system. He noted that they are proposing a septic designed for a three-bedroom dwelling.

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Mr. Marcus made a follow-up question. Is this going to pump into a leach field? Mr. Schollmeyer responded, "Yes."

Mr. Marcus asked about the location of the leach field. Mr. Schollmeyer pointed it out on the map. He noted that since this is high-level ground, it slopes down the Hollow Road. It's right by the tree line.

Mr. Marrapodi asked if there is going to be an emergency power plan like a generator. Mr. Schollmeyer responded, "Yes."

Mr. Marrapodi asked the applicant if the proposed structure will go up another level. Mr. Halton responded, "No, there will be no addition." He added that the siding will stay the same and the only changes will be the windows and the door.

Margo Marcus, 150 East Cookingham Drive, expressed her concern about this project. She wants to make sure that the new septic will not pump into their land. She also asked if there is going to be any new structure that would be visible from their house. Mr. Halton responded negatively. He reiterated the tree line that is on the property.

Ms. Marcus asked about lighting. Mr. Schollmeyer responded that they are not proposing any lighting.

Hearing no more comments from the public, the board agreed to close the public hearing.

Mr. DePasqua motioned to close the public hearing, seconded by Mr. Marrapodi, all Aye, Motion carried, 6-0.

Chairman McCormack asked for any questions or comments from the board.

Mr. Marrapodi asked if the proposed septic system accommodates the existing house. Mr. Schollmeyer responded, "No, the existing house retains its own existing septic system." They want to keep these septic systems separate.

Mr. Marrapodi asked if there are any plans or possibility of expanding the existing system in the future. Mr. Schollmeyer responded that he is not aware of anything right now.

Mr. Marrapodi asked if the septic system is designed for one bedroom. Mr. Schollmeyer responded that this is designed for a one-bedroom dwelling but they are asking the Board of Health for a minimum of two bedrooms at least (1,000 gal. septic tank).

Mr. Werner asked about the square footage and the height of the proposed structure. Mr. Schollmeyer responded that the size of the guesthouse is 721 square feet. Mr. Marrapodi noted that the height of the structure is listed on the drawing (\pm 19 feet to the ridge).

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The board agreed to review the Long Form EAF. Comments were received from the agencies and are on file (Board of Health and Dutchess County Planning).

After reviewing the Long Form EAF, the board passed a resolution, to wit:

Mr. Werner motioned the following resolution:

Be it Resolved, that the Town of Clinton Planning Board has determined that the **Gladstone Site Plan and Special Permit** application on property located at 137 Hollow Road **tax grid no. 6267-00-513506** will not have a significant impact on the environment; and;

BE IT FURTHER RESOLVED, that the Town of Clinton Planning Board hereby issues a Negative Declaration pursuant to the requirements of the State Environmental Quality Review Act 6 NYCRR 617.6 (g) and in accordance with Article 8 of the Environmental Conservation Law.

Seconded by Mr. Dolan, all Aye, Motion carried, 6-0.

The board reviewed the site plan. Mr. Werner commented that the square footage in the box should be double the number. Mr. Schollmeyer responded that this is the measurement of the ground floor. After exchanging opinions about the issue, the board agreed using the verbiage “gross square footage of the main house.”

Mr. Werner commented about the notation on the map stating “No subdivision permitted without Planning Board approval.” He remarked that all subdivision requires Planning Board approval. The board agreed to leave the note.

The board discussed the requested waivers.

Mr. Werner motioned to accept the requested waiver dated December 20, 2012, seconded by Mr. DePasqua, motion carried, 6-0.

The board agreed to pass another resolution.

Mr. Werner motioned that the Town of Clinton Planning Board in accordance with Section 250.96 and Sec. 250.97 of the Town of Clinton Zoning Law, grants conditional approval of **Site Plan and Special Permit to Marie-Claire Gladstone** for the purpose of renovating an existing barn/studio into an accessory dwelling to be used as a guest house, on a 12.37-acre site located at 137 Hollow Road, which is in an AR-5 Zoning District in the Town of Clinton, **tax grid number #132400-6267-00-513506-00**.

WHEREAS:

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- 1) The applicant wishes to convert an already existing approximately 721 square foot barn/studio into an accessory dwelling unit on the property, as shown on the site plan created by Kurt chollmeyer, Licensed Professional Engineer, NYS license #71066, dated 12/7/2012 and revised 12/28/2012.
- 2) The property is located in a Critical Environmental Area. As such a Long Form EAF is required for SEQRA review.
- 3) The Town of Clinton Planning Board declared itself Lead Agency on 12/18/2012 for this Type I action. The involved agency is the Dutchess County Department of Health; interested agencies are the West Clinton Fire District and Dutchess County Department of Planning.
- 4) In accordance with Section 250-96B(3) of the Town of Clinton Zoning Law, a Public Hearing was held on 1/22/2013.
- 5) A SEQRA review of this Type I action (and the public hearing held on 1/22/2013) has resulted in a negative declaration being prepared and declared in accordance with the New York State Environmental Quality Review Act on 1/22/2013.
- 6) This application conforms with the provisions of Section 250-96 of the Town of Clinton Zoning Law pertaining to "Site Plans."
- 7) At its 1/22/2013 meeting, the Planning Board agreed to waive the following items from the Site Plan, as requested by the applicant in the Site Plan Checklist dated 12/20/12, the topography and proposed grading be at two-foot contour intervals extending 50 feet beyond the property; the location and description of existing or proposed sewage disposal and water supply systems; and the location and design of monuments.
- 8) The applicant has applied for an area variance to increase the number of accessory structures on the property from three to four. If the area variance is granted by the Zoning Board of Appeals, this application will conform with the provisions of Section 250-29 of the Town of Clinton Zoning Law pertaining to "Accessory Dwelling Units."
- 9) The applicant understands that under the existing Town of Clinton Zoning Law there will be no further subdivision on this parcel, because of the required double acreage for parcels with an accessory dwelling (i.e., ten acres).
- 10) A New York State DEC freshwater wetland (HP-6) is located on the property.
- 11) The size of the new guest house is approximately 721 square feet. The height is approximately 19 feet.

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12) There is a letter on file from Marie-Claire Gladstone allowing Kevin Halton to act on her behalf in this matter.

13) The outside appearance of the accessory dwelling shall remain the same.

14) The final Certificate of Occupancy is contingent on Board of Health approval of the new sewage disposal and water supply systems.

15) The applicant is being advised that per Section 250.96.B.3.i of the Town of Clinton Zoning Law, approval of the site plan will expire within 18 months unless extended by the Planning Board.

16) The applicant is also being advised that per Section 250.97.A.9 of the Town of Clinton Zoning Law, the special permit will expire if the use is not commenced within 12 months of approval.

17) The existing evergreen tree line around the proposed new sewage disposal system will be retained.

NOW, THEREFORE, BE IT RESOLVED, the Town of Clinton Planning Board grants approval of the requested Site Plan and Special Permit when the following conditions are met.

a) The applicant receives an area variance from the Zoning Board of Appeals to increase the number of accessory structures on the property from three to four.

b) The site plan is revised to show the gross square footage of the main house.

c) All appropriate fees have been paid.

Seconded by Mr. Thomas.

Discussion. Mr. Schollmeyer reminded the board to include the issue about the tree line around the proposed septic system.

All in favor, Motion carried 6-0.

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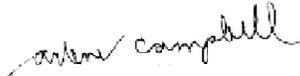
APPROVAL OF MINUTES:

Mr. Werner motioned to accept the amended minutes of January 8, 2013 seconded by Mr. Dolan, all aye, motion carried, 6-0.

ADJOURNMENT

Chairman McCormack motioned to adjourn the meeting at 8: 35 pm, seconded by Mr. DePasqua, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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

Cc: Carol Mackin, town clerk