

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
May 21, 2013**

MEMBERS PRESENT

Mike McCormack, Chairman
Art DePasqua
Gerald Dolan
Tracie Ruzicka

Paul Thomas
Eliot Werner

MEMBERS ABSENT

Robert Marrapodi

ALSO PRESENT

Arlene Campbell, Secretary

Acting Chairman DePasqua called the meeting to order at 7:36 p.m.

VARIANCE APPLICATION:

None

PUBLIC HEARING:

Smyth 3-lot subdivision – property located at 44 Schultsville Road, **Tax Grid No. 6468-00-460101.**

The applicant is requesting re-approval of the subdivision process after losing the original approval that was granted on October 16, 2012.

Mr. Graminski appeared and explained the subdivision application.

Ms. Ruzicka motioned to open the public hearing, seconded by Mr. Thomas, all aye, motion carried, 5-0.

Judy Fehlig, 1 Schultsville Road, asked why there was no representative or official present from the Dutchess Land Conservancy regarding this application. She asked, “Were they notified?” She also questioned the details of the proposal.

Mr. DePasqua responded that the Dutchess Land Conservancy was notified about this case.

Mr. Graminski explained the details of the subdivision plat to the public. He indicated the approval letter that was received from the Dutchess Land Conservancy dated 8-16-2011.

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Ms. Fehlig questioned the other driveway access. Mr. Thomas responded that the Planning Board asks applicants to show the potential access to the property on the map. He noted that this access is just theoretical.

Mr. DePasqua added that by law the applicant needs to show the theoretical access.

Ms. Fehlig asked the applicant about the structures on this property. Mr. Graminski identified all the structures on the property.

Ms. Fehlig remarked that she wasn't aware of the public hearing for the original subdivision application. Mr. DePasqua responded that she was notified via certified mail, as indicated on file.

Ann Gadelius Given, 972 Centre Road, who is an adjoining property owner, noted that she was notified twice about the public hearing. The first notice was received last year and the recent one is for this public hearing. She stated that the question that she had in mind about this property has been answered already, which is about the details of the subdivision.

Hearing no more question from the public, the board agreed to close the public hearing. Ms. Ruzicka motioned to close the public hearing, seconded by Mr. Dolan, motion carried, 5-0.

Smyth 3-lot subdivision (Preliminary and Final Re-approval) – property located at 44 Schultzville Road, **Tax Grid No. 6468-00-460101.**

The applicant is requesting re-approval of the subdivision process after losing the original approval that was granted on October 16, 2012.

Mr. Graminski was back for the conclusion of this case.

Acting Chairman DePasqua asked questions and comments from the board.

Mr. Werner asked if the Board of Health signature is on the map. Mr. Graminski responded, "Yes."

The board agreed to issue re-approval of the subdivision.

Mr. Werner motioned that the Town of Clinton Planning Board grant conditional Preliminary and Final Plat re-approval to **Douglas Smyth** for the purpose of subdividing lands on a 70.52-acre site located at 44 Schultzville Road, which is in an AR-5 Zoning District in the Town of Clinton, **tax grid #132400-6468-00-460101.**

WHEREAS:

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- 1) The applicant is requesting a three (3) lot subdivision as shown on the survey created by Mark R. Graminski, L.S., license #49578, dated 4/4/2013.
- 2) The acreage after the subdivision will be 7.83 acres for Lot 1, 12.25 acres for Lot 2, and 50.44 acres for Lot 3.
- 3) A Long Form EAF is on file.
- 4) The Town of Clinton Planning Board granted conditional sketch plan reapproval on 5/7/2013.
- 5) For purposes of SEQRA review, the Town of Clinton Planning Board declared itself lead agency on 9/24/2012 for this Type I action and issued a negative declaration of environmental significance on 10/16/2012.
- 6) In accordance with Section 250.95.C.1 of the Town of Clinton Zoning Law, a Public Hearing for this re-approval was held on 5/21/2013.
- 7) The applicant has been advised that per Section 206.49.E of the Town of Clinton Subdivision Regulations, re-approval of the subdivision expires on 11/17/2013 unless extended by the Planning Board.

NOW, THEREFORE, BE IT RESOLVED, the Town of Clinton Planning Board grants Preliminary and Final Plat re-approval for the requested subdivision of lands when the following **condition** is met.

- a) All appropriate fees (including recreation fees, if applicable) have been paid.

Seconded by Mr. Thomas.

Discussion. Mr. Graminski questioned the requirement of paying the Recreational Fees again. He noted that he already paid \$7,000 for these lots. He noted that these lots are not yet created.

The board advised Mr. Graminski to send a waiver request letter to the town board.

All Aye, Motion carried, 5-0.

Smyth 2-lot subdivision (Extension of Final Approval) – property located at 282-311 Sunset Trail, **Tax Grid No. 6467-00-654826**.

The applicant is requesting an extension of Conditional Final Approval that was granted in December 4, 2012.

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Mr. Graminski appeared on behalf of the Smyths. He briefly explained his proposal as indicated above.

The board agreed to pass a resolution, to wit:

Mr. Werner motioned the following resolution:

Be it Resolved, that the Town of Clinton Planning Board grants a 90-day extension, from June 2, 2013 to August 31, 2013, of the conditional Preliminary and Final Approval issued to the Smyth Subdivision on property owned by **Olga Smyth** and located at 282–311 Sunset Trail, **Tax Grid No. 132400-6467-00-654826**. This is the first extension granted on this application.

Seconded by Mr. Thomas.

Discussion. None.

All Aye, Motion carried, 5-0.

OTHER MATTERS:

Hudsonia Presentation

Chairman McCormack joined the panel.

Three board members (Arthur Weiland, John Calogero, and Norma Dolan) from the Zoning Board of Appeals were also present for this workshop. Norene Collier appeared on behalf of the CAC.

Gretchen Stevens of Hudsonia presented tools that could be helpful in reviewing applications before the Planning and Zoning boards. Ms. Stevens discussed significant habitats, wetlands, mapping, and other environmental concerns in the Town of Clinton. She explained how effective planning could protect these habitats and other environmental concerns—for instance, moving the building envelope from the original proposed site due to the presence of significant habitats in the area. She noted that knowing the significant habitats could be a helpful tool in reviewing subdivision applications.

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APPROVAL OF MINUTES:

No minutes were approved.

ADJOURNMENT:

Chairman McCormack motioned to adjourn the meeting at 9: 50 pm, seconded by Mr. DePasqua, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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