

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
October 21, 2014**

MEMBERS PRESENT

Mike McCormack, Chairman
Art DePasqua

Tracie Ruzicka
Robert Marrapodi
Paul Thomas
Eliot Werner

MEMBERS ABSENT

Gerald Dolan

ALSO PRESENT

Arlene Campbell, Secretary

Dean Michael, Liaison Officer

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

VARIANCE APPLICATION:

None

PUBLIC HEARING:

None

APPLICATIONS:

Kenneth Furman property located at 194 Long Pond Road, **Tax Grid No. 6468-00-243963.**

The applicant is seeking Steep Slopes Permit in order to provide access to the property by putting a driveway and build a new home. Work has already been done.

Ken Furman and his surveyor, Mark Graminski, appeared for this application. He also indicated the comments from the Town Engineer's letter dated October 17, 2014. The engineering issues were addressed. The Town Engineer made a recommendation that the board adopt a simple motion declaring the application a Type II action not requiring any further environmental review. He also recommended the amended Short EAF be placed in the file.

Chairman McCormack asked for questions and comments from the board.

Mr. DePasqua expressed his comments about this application. Based on his conversation with the Town Engineer, the minor issues were addressed. Mr. DePasqua also indicated that he agrees with the Town Engineer's opinion that this is a Type II action and a simple

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motion about the SEQR should be done with no further action required. The map looks good except for some minor revisions. Mr. DePaqua stated that the only thing that needs to be done at this meeting is to schedule the public hearing.

Mr. Werner questioned the Town Engineer's determination about the Type II action. He remarked that the board does not necessarily need to agree with the determination. As far as he remembers from previous cases, the board declared similar actions as unlisted, coordinated review. He doesn't think that the board should zip right through this case just because the Town Engineer said that the board doesn't have to do the review.

Chairman McCormack responded that is up to the board. He asked, "Is it a Type II action by default?"

Mr. Thomas asked Mr. Werner, "What are you gaining from doing SEQRA on this case?" He stated that the board can still do the review but they don't have to do SEQRA.

Mr. Werner responded that the board should still get comments from the other agencies (for example, the Highway Department needs to sign off on this). This is a Steep Slopes Permit and they always treat this application like everybody else.

Mr. Graminski remarked that this is a different case since everything is already done. The site was already stabilized.

Mr. Werner agreed with Mr. Graminski but noted that the action was done without input from the other agencies. He noted that he wants to make sure that everything was properly done in 2004.

Mr. Furman explained the history of this project. He stated that he met with the Zoning Enforcement Officer and the Highway Superintendent before he started this project 10 years ago. He asked the Town officials if there is anything else that he needs to do. He noted that they responded, "No. You can start digging but cannot build."

Mr. Furman stated that everything was okay during the construction until the neighbor complained about the machine noise. The Zoning Enforcement Officer issued a Stop Order and advised the applicant that he needs to obtain a Steep Slopes Permit. He didn't pursue this application at that time because he was going through a divorce. He noted that he tried to do the right thing from the very start of this project. Jack Cleary even commented at the time that it was nicely done. He reiterated that was given a go signal to dig. Mr. Furman stated that he is now ready to build a house on this property.

The board agreed to send a letter to the following agencies for comments: CAC, Highway Department and West Clinton Fire Department

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Mr. Werner raised the issue about the area being an Archeological Sensitive Area. Mr. Graminski stated that since work was already done and the site was stabilized, there is no sense in doing an archeological investigation per notation on SHPO website.

Mr. DePasqua noted that the whole Long Pond Road to Silver Lake is an archeologically sensitive area.

Mr. Furman asked, "How come the house on this road that was built five years ago didn't go for an archeological review?" Mr. Werner responded that the said property owner didn't come before the Planning Board with an application.

The board agreed to pass a resolution.

Chairman McCormack motioned the following:

Be it Resolved, that the Town of Clinton Planning Board declared itself lead agency for this Type II and uncoordinated action with Short Form EAF completed and is in file and no further action is required, in the matter of Furman Steep Slopes Permit on property located 194 Long Pond Road, **Tax Grid No. 6468-00-243963**.

Seconded by Mr. Marrapodi, all Aye, motion carried, 6-0.

The board agreed to set the public hearing. Mr. Depasqua motioned to set the public hearing, seconded by Mr. Marrapodi, all Aye, Motion carried, 6-0.

OTHER MATTERS:

The board discussed the proposed amendment on Local Law of the Lot Line Adjustment Regulation.

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APPROVAL OF MINUTES:

Mr. DePasqua motioned to accept the minutes of October 7, 2014 as amended, seconded by Mr. Werner, all Aye, motion carried, 6-0.

ADJOURNMENT:

Mr. Werner motioned to adjourn the meeting at 8:38 pm, seconded by Ms. Ruzicka, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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