

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
April 15, 2014**

MEMBERS PRESENT

Mike McCormack, Chairman
Art DePasqua
Gerald Dolan
Tracie Ruzicka
Robert Marrapodi

Eliot Werner

Arlene Campbell, Secretary

MEMBERS ABSENT

Paul Thomas

ALSO PRESENT

Dean Michael, Liaison Officer

Chairman McCormack called the meeting to order at 7:03p.m.

VARIANCE APPLICATION:

None

PUBLIC HEARING:

None

APPLICATIONS:

Marybeth Meyer Site Plan and Special Permit – property located at 35 Oak Grove Road, **Tax Grid No. 6466-00-579876.**

The applicant is requesting a Special Use Permit for an Accessory Apartment.

Chris Meyer, Ms. Meyer's husband, along with his Land Surveyor Brian Franks appeared for this application.

Mr. Meyer explained that they want to build an accessory apartment on this property. They were told that they needed to do a lot line adjustment due to the Zoning requirement. There was a building permit for the pool house. They presumed that the issue about the accessory apartment was taken care of after the lot line adjustment was granted. Mr. Meyer noted that they didn't know that they needed to get a Special Permit to convert the pool house to an accessory apartment.

Chairman McCormack asked for questions and comments from the board.

Mr. DePasqua indicated that the open permit for the shed was closed out. The permit for the pool is still open according to the Building Inspector. However, Mr. DePasqua noted

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that based on his conversation with the Building Inspector, there are still minor repairs that need to be done. Mr. DePasqua opined that he doesn't see anything that should hold this process from moving forward.

Mr. Meyer explained the minor repairs that need to be done on the pool. He noted that they are in the process of addressing these issues.

The board agreed to declare lead agency, to wit:

Mr. DePasqua motioned that the Town of Clinton Planning Board approves 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 Mary Beth Meyer **Site Plan and Special Permit Application** for an Accessory Apartment located at 35 Oak Grove Rd, **Tax Grid No. 6466-00-579876** for this unlisted and uncoordinated action with Short Form EAF.

BE IT FURTHER RESOLVED, the Planning Board hereby directs the copies of Special Permit Application, Short Form EAF and Site Plan be sent to the identified interested agencies as noted on Attachment "A".

Seconded by Ms. Ruzicka, All Aye. Motion carried, 6-0.

**Attachment "A"
Identified Interested Agencies**

INTERESTED AGENCIES

East Clinton Fire District
9 Firehouse Lane,
Clinton Corners, NY 12514

Dutchess County Department of Planning and
Economic Development
27 High St.
Poughkeepsie NY 12601

Mr. DePasqua asked the applicant to submit a letter of request for the items they wish to waive from the site plan. Mr. Werner added that the scale of the map needs to be waived. The scale is supposed to be 1 inch = 50 feet. Mr. Franks agreed.

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The board reviewed the map.

Mr. Werner stated that the names of the property owners across the road should be added on the map. Mr. Werner went over the checklist requirement. He stated that item #3c should be 'N/A' instead of "Yes."

Mr. Werner asked about item #14 on the Short Form EAF. He questioned the checkmark on "Urban" box instead of "Suburban." Mr. Franks responded that he will check this out.

Mr. Marrapodi commented that the area of the primary dwelling should reflect the habitable space instead of gross space. This is the basis for the calculation of allowable size of the accessory apartment per Zoning Regulations.

Mr. Marrapodi asked about the access to the accessory apartment (second floor of the pool house). Mr. Meyer responded that the accessory apartment is accessible from the outside. Mr. Marrapodi asked the applicant to bring the floor plan to the next meeting.

The board agreed to set the public hearing.

Mr. DePasqua motioned to set the public hearing for May 6, 2014, seconded by Mr. Dolan, all Aye, Motion carried, 6-0.

Clinton Cheese Sign Permit - property located at 2411 Salt Point Turnpike, **Tax Grid No. 6566-02-543734.**

The applicant wishes to put a sign up to the food and grocery store.

Ms. Cafarelli explained her application. She stated that they wanted to put up a hanging sign (25' x 46' x 1) on a pre-existing post. The proposed sign is going to be double-sided, laminated, and with vinyl graphics, .

Chairman McCormack asked for questions and comments.

Mr. Werner expressed his comment about this project. The maximum allowed size for a sign is 30 square feet. Everything on the sign meets all the requirements of the Zoning Regulations.

Mr. Werner commented about the temporary paints sign on the window. Ms. Cafarelli stated that they might put in something "more permanent." Mr. Werner responded, "As long as it is the same." He opined that the proposed sign looks nice.

The board declared itself agency.

Mr. Werner motioned that the Town of Clinton Planning Board declares itself lead agency for this Type II project, seconded by Ms. Ruzicka, all Aye, Motion carried, 6-0.

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After all the reviews are made, the board passed another resolution, to wit:
Mr. Werner motioned that the Town of Clinton Planning Board grants approval of a Sign Permit to Erin Cafarelli, owner of **Clinton Cheese and Provisions**, for the purpose of placing a free-standing sign on a pre-existing sign post on property owned by David L. Bean located at 2411 Salt Point Turnpike, which is in a Hamlet District in the Town of Clinton, **tax grid #132400-6566-02-543734**.

WHEREAS:

- 1) The applicant wishes to use the property as a food and grocery store.
- 2) At its 4/15/2014 meeting, the Town of Clinton Planning Board declared itself lead agency and determined this to be a Type II action. Therefore no further review is required.
- 3) The applicant has a letter of permission from the owner of the property agreeing to the placement of the sign.
- 4) The applicant has met the requirements stipulated in Section 250.70 of the Town of Clinton Zoning Law pertaining to signs.
- 5) All fees have been paid.

NOW THEREFORE, BE IT RESOLVED, the Town of Clinton Planning Board approves the requested sign permit.

Seconded by Ms. Ruzicka,

Discussion. None.

All Aye, Motion carried, 6-0.

OTHER MATTERS:

Board Discussion:

The board discussed the issue about when a property is in violation. Are open permits considered violations?

After all the discussions were made, Chairman McCormack stated that a property is considered in violation when the Zoning Enforcement Officer makes a determination that the violation exists.

Mr. Werner remarked that the Zoning Enforcement Officer should check the property first, once the application is accepted, to see if there are any structures

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that do not have building permits. Most of the time the board discovers these violations before the ZEO realizes that there is a violation.

The board agreed that applications with open permits can still get on the agenda.

After a lengthy discussion about the above issue, the board agreed to revise the application form where it states "Applications with open permits cannot be on the agenda."

APPROVAL OF MINUTES:

Mr. Werner motioned to approve the minutes of March 5, 2014 as amended, seconded by Mr. Marrapodi, All Aye, motion carried, 6-0.

ADJOURNMENT:

Mr. DePasqua motioned to adjourn the meeting at 8:20 pm, seconded by Mr. Marrapodi, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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