

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
December 1, 2015**

MEMBERS PRESENT

Mike McCormack, Chairman
Art DePasqua

Robert Marrapodi
Paul Thomas
Eliot Werner

MEMBERS ABSENT

Gerald Dolan
Tracie Ruzicka

ALSO PRESENT

Secretary – Arlene Campbell

Dean Michael, Liaison Officer

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

VARIANCE APPLICATION:

None

PUBLIC HEARING:

None

APPLICATIONS:

Blackburn Site Plan Review for a Ground-Mounted Solar Energy System – property owned by Jeffrey and Dawn Blackburn located at 285 Clinton Corners Road, **Tax Grid No. 6566-00-500317.**

The applicants wish to add six more solar arrays to the already existing two pole-mounted arrays (5 kw), totaling 20 kw.

Richard Galbreth from Sol Providers appeared on behalf of the property owners. He explained that they already installed two pole-mounted arrays totaling 5 kw on this property. They want to increase the number of arrays by adding six more to bring the total up to 20 kw using the same exact products. The new panels will be installed to the south and west of the existing array. Four new poles will be sited in front of the two existing arrays from east to west and the other two will be added on the western side of the existing panels. Screening has already been planted on the northern side of the system along with the western side being screened by an existing forest line. Mr. Galbreth noted that this structure will not be visible from the road.

Chairman McCormack asked for questions and comments from the board.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
December 1, 2015**

Mr. Werner asked the applicant about the exact location of the proposed addition. Mr. Galbreth pointed out on the map the proposed location of the additional arrays. Two poles will be constructed directly behind the existing poles and the others will be located in the front row more toward the center of the property. (Two and four rows.)

Mr. Werner asked if the proposed panels will be facing in the same direction as the existing ones. The applicant responded, "Yes." They will be perpendicular to the road.

Mr. Marrapodi expressed his comment per his site visit. This installation is very much visible from the road. The property is flat and open. He suggested putting more screening to extend the tree line parallel to the road. The applicant agreed.

Mr. Marrapodi asked about the zoning district of this property. Mr. Thomas responded that this is a 2.6-acre lot property in the CR1 Zoning District.

The panel discussed the setback. Mr. Galbreth noted that there is a building permit issued on the existing panels. This structure complied with the zoning setback.

After reviewing the plans, the board agreed that the setback complies with the zoning regulations.

Mr. Werner asked if the board needed to require a detailed site plan. He asked, "Does the site plan before the board sufficient enough for the board's review since the proposal is merely for additional arrays to the existing panels?"

Mr. Marrapodi opined that the board is setting standards in this case. This is the first solar energy application before the board after the recent adoption of the Local Law on November 10, 2015. The board should require a site plan. It doesn't need to be done by a licensed surveyor but should at least be graphically accurate. Technically, the drawings/plans that were submitted to the board are not a site plan. There is no boundary of record shown on these plans. Mr. Marrapodi asked, "Is it 50 feet from the base of the array or is it from the edge of the angle?" He remarked that there is no way of finding the right measurement. These numbers are just assumptions and not accurate.

The board exchanged opinion about the above concern. Mr. Galbreth questioned the requirement of a site plan. He stated that everything on the property is shown on this map. He pleaded that they are hoping to start the construction in March of 2016.

Mr. Thomas noted that the site plan is used as a point of reference when the Building Inspector inspects the project.

Mr. DePasqua stated that the screening should be shown on the site plan. The board discussed the screening on this project. Mr. Marrapodi suggested using all-around evergreen trees as screening. Mr. Galbreth noted that they will be using the same screening that's already on the property.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
December 1, 2015**

Chairman McCormack asked the applicant if there is a copy of a survey. Mr. Galbreth responded that he was not sure if there is one.

The board had a lengthy discussion about the requirement of a certified site plan. Mr. Thomas commented that this requirement can be onerous to some applicants.

Mr. Marrapodi opined that the board doesn't need a certified site plan. All the board needs to see is what's on the property and a the physical outlines or boundaries of the property.

Mr. Thomas added that the site plan should at least show the property lines, screening, setbacks, and names and addresses of the surrounding property owners.

Mr. Marrapodi opined that if the applicant chooses to use the submitted plan, the applicant can just blow it up and shows the missing boundary lines, screening, and name of the surrounding property owners.

Mr. Werner suggested adding a box labeling the site plan. Mr. Galbreth noted that the map is already labeled as noted at the bottom of the map.

Mr. Thomas raised the question about the footprint of the panels. The zoning regulation states that the square footage of the accessory structure cannot exceed the square footage of the principal dwelling.

The board discussed the size of the proposed structure in relation to the building coverage. Mr. Galbreth indicated that the building square footage is 1,800 square feet. Each array is 10' x 14.'

Mr. Marrapodi noted that Parcel Access indicates 1,260 square feet on the first floor and the total square footage including second floor is 2,520. The board agreed that the size conforms with the regulations.

Mr. Marrapodi suggested indicating the dimensions of the panels on the plan. Mr. Thomas stated that the footprint of the house needs to be shown on the map too.

The board agreed to declare lead agency.

Mr. Werner motioned the following resolution, to wit:

BE IT RESOLVED the Town of Clinton Planning Board hereby declares its intention to be the lead agency for review of the project pursuant to Sections 617.6(2) and (3) of the NYCRR 617, in the matter of the Site Plan for the Blackburn property, tax grid #132400-6566-00-500317, located at 285 Clinton Corners Road in the Town of Clinton, for this unlisted uncoordinated action.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
December 1, 2015**

INTERESTED

Not applicable

INVOLVED

Not applicable

Seconded by Mr. Thomas, all Aye, Motion carried 5-0.

Public hearing is set on December 15, 2015.

Netherwood Farm LLC (Discussion) – property located at 196 Fox Run Road, **Tax Grid No. 6466-00-073200.**

The applicants are seeking an opinion from the board on how to proceed with their project.

Richard Rennia, Jr., PE, appeared on behalf of the property owners. He explained that the parents recently died and left this property to their three children. The children agreed to hold and keep this property intact. Due to the size of each family, the property owners decided to do an expansion. They are seeking a special use permit for an existing accessory apartment and zoning variances for the expansion of the main house and accessory apartment.

Mr. Rennia stated that the applicants are proposing to expand the main house to six bedrooms and make the carriage house into a three-bedroom dwelling. They need a variance to increase the number of an accessory dwelling to three bedrooms. Mr. Rennia opined that they are not sure whether they will need a front yard setback since the house is already intruding the setback. He noted that the proposed expansion will not intrude farther into the setback. The proposed expansion is to the side of the dwelling. Additionally, there will be a new septic design created for this project.

Chairman McCormack asked for questions and comments from the board. Mr. Marrapodi asked, “How big is the accessory dwelling?” Mr. Rennia responded, “1,400 square feet.” The habitable space is 1,109 square feet as opposed to the threshold of 1,000 square feet.

Mr. Thomas asked if the 1,109 square feet the total square footage after the proposed expansion. Mr. Rennia responded, “Yes.”

Mr. Werner asked if the house is pre-existing. Mr. Rennia responded that both the main house and the carriage house are pre-existing. Mr. Werner asked, “How big is the proposed expansion?” The applicant responded that the expansion is under the 50% threshold.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
December 1, 2015**

Mr. DePasqua asked if this is a working farm. The applicant responded, "Yes." Mr. Thomas noted that the proposed use is not farm related.

Mr. Rennie indicated his meeting with the Zoning Enforcement Officer months ago. Mr. Fennell determined that the proposed project will need a variance for the number of bedrooms and the square footage of the house. Mr. Rennie stated that the ZEO wasn't sure whether they need a variance to the front yard since the expansion is within the setback (although the house is intruding the front yard). Mr. Fennell advised him that since he is planning to go before the board, he might as well apply for the said variance.

Sec. 250.29 B (5) of the Town of Clinton Zoning Law limits the number of bedrooms in an accessory dwelling unit to two (2) bedrooms.

Sec. 250.29 B (6) limits the habitable square footage of an accessory dwelling unit to 1,000 square feet.

The panel discussed the proposed project. Mr. Rennie asked about the board's feeling about increasing the number of bedrooms in an accessory dwelling.

Mr. DePasqua commented that the question here is about enforcement issue. If the intention here is to rent this building, then he is opposed to the proposal. Mr. DePasqua expressed no objection if the purpose is family related.

Mr. Rennie responded to the above concern. He stated that as far as he knows, the intention is for family use. The carriage house is close to the main house so renting this out will create a privacy issue.

The board exchanged opinions about the above concern. Mr. Thomas stated that the proposed third bedroom of the carriagehouse raises the possibility of an apartment. Mr. DePasqua concurred with Mr. Thomas.

Mr. Rennie stated that he will talk to the property owners about this project if the board is not comfortable with their proposal. They might need to rethink the idea of a third bedroom.

Chairman McCormack suggested showing parking areas on the site plan.

After a lengthy discussion, the board agreed that although this property is a working farm and is under the Ag and Markets Ruling, the proposed use is not farm related and therefore subject to the Town Zoning regulations. The proposed project needs a special use permit and variance(s). The board also agreed that this application needs a Short Form EAF for SEQRA review.

No action taken.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
December 1, 2015**

Murphy Solar Energy System - 396 Hibernia Road, Tax Grid No. 6566-00-561084.

Contractor appeared before the board to get the board's opinion about the installation of a proposed roof-mounted solar array.

- The contractor stated that the Building Inspector advised him to go before the board to get the board's view about the newly adopted local law.

After reviewing the proposed project, the board agreed that the above proposal doesn't require site plan review by the Planning Board.

No action taken.

Acquista property (Board Discussion) – 105 Field Road, Tax Grid No. 6470-00-963054.

Property owner wishes to construct a pool house with several function such as home gym, pool area with covered patio/terrace for gatherings, powder room, shower (lower level), spa, etc.

The board agreed that the above project needs a site plan and special use permit for an Accessory Dwelling.

No action taken.

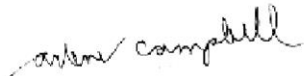
APPROVAL OF MINUTES:

Mr. Werner motioned to accept the amended minutes of 10-20-15, seconded by Mr. Thomas, All Aye, Motion carried, 5-0.

ADJOURNMENT:

Mr. Marrapodi motioned to adjourn the meeting at 9:25 pm, seconded by Mr. Dolan, All Aye, Motion carried, 5-0.

Respectfully Submitted,



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