

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 1, 2016**

MEMBERS PRESENT

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

MEMBERS ABSENT

ALSO PRESENT

Secretary – Arlene Campbell

Eliot Werner. Liaison Officer

Chairman McCormack called the meeting to order at 7:31 pm.

The board expressed their gratitude and recognition to the previous Liaison Officer, Dean Michael, for all his support and dedication in regularly attending the Planning Board meeting.

VARIANCE APPLICATION:

None

PUBLIC HEARING:

Netherwood Farm LLC Site Plan and Special Permit - property located at 196 Fox Run Road, Tax Grid No. 6466-00-073200.

The applicant is seeking Site Plan and Special Permit approvals for an existing Accessory Apartment.

Richard Rennia, the applicant's engineer, appeared for this application. He briefly explained their application as indicated above.

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

Hearing no comments from the public, Mr. DePasqua motioned to close the public hearing, seconded by Ms. Ruzicka, all Aye, Motion carried, 6-0.

APPLICATIONS:

Netherwood Site Plan and Special Permit Approval (continuance) – 196 Fox Run Road, Tax Grid No. 6466-00-073200.

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Applicant is seeking Site Plan and Special Permit approvals for an Accessory Apartment.

Mr. Rennia was back before the board for the conclusion of his application. He indicated the variances that were granted by the Zoning Board of Appeals dated February 23, 2016.

Chairman McCormack asked for questions and comments from the board. Ms. Ruzicka gave a recap of what had transpired at the previous meeting.

The board agreed to review the Short Form EAF for SEQR purposes.

After all the reviews and comments were made, the board passed a resolution.

Ms. Ruzicka motioned that the Town of Clinton Planning Board approves the following:

BE IT RESOLVED the Town of Clinton Planning Board has determined that the Netherwood Farm LLC site plan/special permit, **Tax Grid #6466-00-073200** on property located 196 Fox Run Road will not have a significant impact on the environment; and

BE IT FURTHER RESOLVED 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.

Ms. Ruzicka commented that the tennis court should be shown on the map. There was a variance granted about the number of accessory structures. Mr. Marrapodi noted that the tennis court is already shown on the map. The board agreed that all the structures on the map should be labeled.

Mr. Marrapodi stated that the comparison of the square footage of the dwellings should be based on the calculation of the habitable space or gross floor space. It's either habitable of the main dwelling versus the habitable space of the accessory dwelling or the gross floor space of both dwellings. It needs to be apples to apples. The applicant agreed to include the habitable square footage of the dwellings on the map. The board passed another resolution.

Ms. Ruzicka motioned that the Town of Clinton Planning Board

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grants approval of a Site Plan and Special Permit to **Netherwood Farm LLC** for the purpose of establishing an accessory apartment on a 144.76 acre site located at 196 Fox Run Road, which is in an AR5 Zoning District in the Town of Clinton, **Tax Grid #6466-00073200**

WHEREAS:

- 1) The applicant wishes add additions to both an accessory Dwelling and the main house. The new addition to the accessory Dwelling would increase the square footage to 1109 square feet and increase it to 2 bedrooms.
- 2) The property borders a working farm in an Agricultural District. The applicant has submitted Ag Data Statement.
- 3) At its February 25, 2016 ZBA meeting, the Zoning Board of Appeals granted the requested area variances for front yard set backs on the main house and the Accessory Dwelling, permitting an increase in allowable habitable space in the redesigned Accessory Dwelling from 1000 square feet to 1109 square feet, and from the allowable 3 accessory structures to 4: an attached garage, the accessory dwelling, a tennis court, and an in-ground pool.
- 4) The Town of Clinton Planning Board declared itself Lead Agency on 2/02/2016 for this unlisted, uncoordinated action. Appropriate referrals to the interested agencies have been made.
- 5) In accordance with Section 25096B(3) of the Town of Clinton Zoning Law, a Public Hearing was held on 3/01/2016.
- 6) A SEQRA review of this unlisted, uncoordinated action has resulted in a negative declaration being prepared and declared in accordance with the New York State Environmental Quality Review Act on 3/01/2016.
- 7) This application conforms with the provisions of Section 25096 of the Town of Clinton Zoning Law pertaining to "Site Plans." The site plan has been prepared by Rennia Engineering Design PLLC, dated 12/01/2015, revised 2/8/16.
- 8) With the granting of the area variance by the Zoning Board of Appeals, this application conforms with the provisions of Section 25029 of the Town of Clinton Zoning Law pertaining to "Accessory Dwelling Units" and structures and setback requirements.
- 9) This special permit is contingent on the applicant's continued occupancy of the property.
- 10) All appropriate fees have been paid.

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NOW, THEREFORE, BE IT RESOLVED, the Town of Clinton Planning Board grants conditional approval of the requested Site Plan and Special Permit when the following condition is met:

The tennis court shall be added to the site plan.

Seconded by Mr. Dolan.

Discussion. None.

All Aye. Motion carried, 6-0.

Kathleen Knight Lot Line Adjustment (Amendment) – properties at 85 and 105 Stonehouse Road, **Tax Grid Numbers 6369-00-557360, 625372,674442.**

Applicant wishes to amend the Lot Line Adjustment that was granted on February 2, 2016.

Charles Boolukos, the applicant's surveyor, was back before the board due to technical errors in the sizes of the lots that were presented at the previous meeting. He stated that he was staking the property when he realized that his measurement was off. He noted that there is not much difference but he wants to do the right thing. The Mylar wasn't filed yet.

Mr. Boolukos presented the revised map showing the changes on the revision date and measurement of the lots.

The board agreed to amend the previous resolution.

Mr. Thomas motioned that the Town of Clinton Planning Board approves the following:

BE IT RESOLVED that the Town of Clinton Planning Board grants conditional approval for a lot line adjustment of the lands owned by **Kathleen Knight** on properties described below.

Whereas, the Town of Clinton Planning Board has received an Application for Lot Line Adjustment from Kathleen Knight for the purpose of 1) transferring a ±2.548 acre parcel from a ±22.086 acre parcel denoted on Doc. No. 22011-5218, Tax Map 6369-00-557360, Filed Map No. 12374 located on Stonehouse Road (Parcel 1) to be combined with a ±2.495 acre parcel designated as the remainder of the parcel denoted on Doc. No. 22000-11404, Tax Map 6369-00-625372, Filed Map No.6456, located at 85 Stonehouse Road, the combined parcel being designated as Parcel 2; and 2) transferring a ±7.509 acre parcel from the parcel denoted on Doc. No. 22000-11404, Tax Map 6369-00-625372, Filed Map No. 6456 to the ±77.191 acre parcel denoted on Tax Map 6369-00-674442,

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Reference to Filed Map No. 6456 and 6456A, located at 105 Stonehouse Road, the combined parcel being designated as Parcel 3, as shown on a Proposed Amendment to Filed Map No. 6456A, Lot Line Adjustment prepared by J. Charles Boolukos, L.S., N.Y.S. License No. 049494, dated December 4, 2015 and revised on January 27, 2016 (the "Map"); and

Whereas, as a result of the proposed lot line adjustments, the lands of Parcel 1 will consist of approximately 19.538 acres, the lands of Parcel 2 will consist of approximately 5.043 acres and the lands of Parcel 3 will consist of approximately 84.7 acres, all located in the AR5 Zoning District; and

Whereas, the property is not located in or within 500 feet of an Agricultural District containing working farms and an Agricultural Data Statement is not required; and

Whereas, the applicant has not been granted a special permit, site plan approval, variance or other permit that would be void as a result of this action; and

Whereas, the Dutchess Land Conservancy has consented to the proposed lot line adjustment subject to certain terms and conditions set forth in its letter to the applicant dated December 15, 2015; and

Whereas, the Planning Board has determined that a Lot Line Adjustment is a Type II action under SEQRA and no further SEQRA review is required; and

Whereas, after review of the application and the Map, the Planning Board has determined the proposed action is in compliance with the requirements of the Town Zoning Law and the Town Master Plan; and

Whereas, there are no known zoning violations on the parcels; and

Whereas, the Planning Board has considered and granted any waivers requested by the applicant;

Therefore Be It Resolved, that the Planning Board hereby grants the Application for Lot Line Adjustment.

Seconded by Mr. Dolan.

Discussion. None

All in favor, Aye, Motion carried 6-0.

RV Interlake Annual Permit Renewal – property on 428 Lake Drive, Tax Grid No. 6469-00-241434.

Applicant wishes to renew their Annual Permit for 2016.

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The board agreed to renew the Annual Permit.

Mr. Dolan motioned that the Town of Clinton Planning Board approves the annual renewal of a Special Permit for the operation of **Interlake RV Park, Inc.** (Steven R. Dumais, President) located at 428 Lake Drive, **tax grid #132400-6469-00-218434-00.**

WHEREAS:

- 1) The applicant has stated, in a letter dated 1/1/2016, that there are no changes in the operation of the park since the previous renewal.
- 2) The Zoning Enforcement Officer has inspected the site and confirms, by memo to the Planning Board dated 2/23/2016, that (a) the number of sites remains at 159; (b) there are 60 trailers being “wintered over”; and (c) the entire park is “clean and well maintained.”
- 3) The Zoning Enforcement Officer further confirms that there are no known zoning violations on the property.
- 4) A site plan of the campground is on file with the Town of Clinton Zoning Office.
- 5) Interlake RV Park, Inc., has a current Dutchess County Health Department approval to operate the campground, which expires on 3/31/2016.

NOW, THEREFORE, BE IT RESOLVED, the Planning Board recommends the approval of the annual renewal of a special permit to the Town Clerk with the following condition:

- Health Department approval for 2016–2017 is granted.

Seconded by Mr. Marrapodi, All Aye, Motion carried 6-0.

Old Stone Farm – property located at 68 Naylor Drive, Tax Grid No. 6268-00-591367.

The applicant proposes changes on the above subject property that requires review of the Town Consultants.

The board agreed to pass a resolution, to wit:

Mr. Thomas motioned that the Town of Clinton Planning Board establishes an escrow in the amount of \$1,000.00 in the matter of the Old Stone Farm proposal on property located at 68 Naylor Drive, Tax Grid No. 6268-00-591367.

Seconded by Ms. Ruzicka.

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Discussion. None.

All Aye, Motion carried, 6-0.

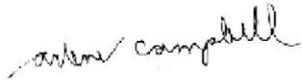
APPROVAL OF MINUTES:

Mr. Thomas motioned to accept the amended minutes of February 2, 2015, seconded by Mr. Dolan, All Aye, Motion carried, 6-0.

ADJOURNMENT:

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

Respectfully Submitted,



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