

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
January 03, 2017**

MEMBERS PRESENT

Mike McCormack, Chairman

Gerald Dolan
Alex Kari
Tracie Ruzicka
Robert Marrapodi
Paul Thomas

MEMBERS ABSENT

Art DePasqua

ALSO PRESENT

Secretary – Arlene Campbell

Eliot Werner, Liaison Officer

Chairman McCormack called the meeting to order at 7:39 pm. The board welcomed the new Planning Board member, Alex Kari.

VARIANCE APPLICATION:

None

PUBLIC HEARING:

None

APPLICATIONS:

Carvalho Demolition Plan Approval – property located at Hollow Road, Tax Grid No. 6466-00-753638

The applicant requests to demolish an abandoned structure on a piece of land that she recently purchased.

Ms. Carvalho appeared for her application. She explained that she wanted to demolish the old barn on the property that she recently bought from her father. This building is very old and had been on this property since she was a kid.

Ms. Carvalho indicated the poor, deteriorated, unsalvageable condition of the structure. The structure has not been in use for decades. She believes that this may have been a part of a larger barn/silo or remains of the original structure on the property. The foundation is pretty damaged and all the beams are cracked. She also expressed her intentions to salvage the building but accordingly nothing is salvageable.

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Ms. Carvalho presented the photos showing the condition of the building. She also noted that this building has no designation of significance in the Historic Resource Survey of 1986.

Ms. Campbell remarked that the structure is not even listed on the County record. This property is listed as a vacant lot.

Chairman McCormack asked for questions and comments from the board.

Mr. Marrapodi expressed no objection about the above application. Five years ago, he was called to assess this building by the previous owner. This building was already unsalvageable at that time. Mr. Marrapodi stated that he was actually surprised to see this building still up. He noted that this building has no historical significance.

Mr. Marrapodi indicated the requirement of a site plan. He asked the board if they're comfortable in waiving item numbers 3 and 7 of the checklist requirement. The board agreed to waive the said items.

Mr. Marrapodi questioned the name of the property owners as listed on Parcel Access. He asked the applicant if she has a Letter of Consent from Anthony Carvalho.

Ms. Carvalho responded that she bought this property from her father (Anthony Carvalho) six months ago. She was surprised that the County Record was not updated yet.

Ms. Ruzicka noted that the Assessor's record reflect Ms. Carvalho's name.

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

Ms. Ruzicka motioned for the following resolution:

BE IT RESOLVED, that the Town of Clinton Planning Board recommends approval of the Demolition Permit application dated January 3, 2017 submitted by **Barbara Carvalho** for the purpose of demolishing a farm building located on a 64.31 acre parcel at 1288 Hollow Road, **Tax Grid 132400-6466-00-753638** and refers the matter to the Building Inspector for review and approval of a demolition plan to be submitted by the applicant.

WHEREAS:

1. The structure was built in or about early 1900's. There is no designation of significance on the Historic Resources Survey of 1986. The applicant states that the structure does not have any national, state or local designation of significance nor are there any for the parcel on which it is located.

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2. The applicant states that the building is planned for demolition because it is structurally unsound and unsafe and could not be rendered habitable without incurring considerable expense. The structure should be demolished because it fails to conform with accepted building standards and contains numerous structural deficiencies resulting in an unsafe condition and rendering renovation or repair impractical and cost prohibitive.
3. The applicant has not submitted a demolition plan to the Building Inspector for his review and approval. Photographs of the structure were submitted confirming the condition.
4. The parcel is a vacant lot without a primary dwelling and the applicant has no current plans to replace the structure. Proposed future use of the property is reclamation of the fields for grazing and or hay.
5. A completed Environmental Assessment Form has been submitted.
6. The Planning Board has granted a waiver with respect to Item 7 (plan drawn to scale of the interior and exterior of the building) and Item 3 (Plans showing how the demolition process will take place) of the Demolition Permit checklist.
7. The Planning Board has reviewed the application with regard to the requirements of Section 250-93 of the Zoning Law and determined that the building has no historic value,
8. All appropriate fees have been paid.

NOW, THEREFORE BE IT RESOLVED, that the Town of Clinton Planning Board recommends approval of the Demolition Permit application and refers the matter to the Building Inspector for further action consistent with the Town Zoning Law.

Seconded by Tracie Ruzicka.

Discussion. None.

All Aye, Motion carried, 5-0.

Hoffman and Danon Lot Line Adjustment - 348 & 354 Nine Partners Road, Tax Grid Nos. 6568-00-255598 and 236717.

Applicants wishes to swap ±.08 acres of their lands.

Michael Hoffman appeared for this application. A Letter of Consent from the Danons was received and is on file.

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In summer of last year, Mr. Hoffman explained that he purchased this vacant lot to build his dream home. He wants to do a 3-foot land swap with his neighbor to increase the lot width (77 to 80 feet) of his driveway. This is a 21.3-acre lot in an AR5 Zoning District.

Mr. Thomas asked about the significance of the 80 feet. He indicated that 40 feet is the minimum width for the flag lot. Ms. Ruzicka stated that the applicant wishes to have a shared driveway.

Mr. Hoffman concurred. He wanted to make sure that he can build a shared driveway on this lot just in case he subdivides the land for his kids in the future.

The board had a lengthy discussion about the application on hand. Mr. Thomas asked the applicant if he bought Lot 5 of the Bowman Glen's subdivision. Mr. Hoffman responded, "Yes." He noted that the Town regulations only allow four driveways on a private road. His driveway will be the 5th driveway. He is now proposing a driveway on Nine Partners Road. He noted that he only needs 3 feet to meet the 80-foot threshold. It's an even swap with the neighbor.

Mr. Thomas expressed his views about the proposal. The lot line will make the existing nonconforming lot (Danons') more nonconforming. The lot width is currently 275 as opposed to the zoning regulation of 400 feet. He underscored that the variance needed is for the lot width (275 to 272 feet) and not the road frontage.

Mr. Thomas also commented that proposed driveway will also be in the setback. Mr. Marrapodi and Chairman McCormack both noted that the driveway can be in the setback. It is not a structure.

Mr. Thomas asked the applicant to measure the setback where the pool house is. It seems that this structure is intruding the setback. He opined that it might not need a variance but it's better to address this issue now.

After a very lengthy discussion, the board agreed that the application on hand needs a variance(s) to move forward the lot line adjustment. Lot Line Adjustment can be issued contingent with the variance approval next meeting.

No other action taken.

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OTHER MATTERS:

BOARD DISCUSSION:

Mr. Werner joined the panel for discussion. Mr. Werner noted that the Town Board is in the process of adopting a Local Law about Mass Gathering/Event next Town Board meeting. He also gave an update about the zoning revision.

Ms. Ruzicka left the meeting at 8:45 pm. The panel had a very lengthy discussion about demolition of historical buildings.

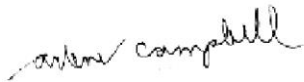
APPROVAL OF MINUTES:

Mr. Marrapodi motioned to accept the amended minutes of 12-6-16, seconded by Mr. Kari, All Aye, Motion carried, 4-0.

ADJOURNMENT:

Mr. Thomas motioned to adjourn the meeting at 8:59 pm, seconded by Mr. Kari, All Aye, Motion carried, 4-0.

Respectfully Submitted,



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