

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
July 3, 2018**

MEMBERS PRESENT

Art DePasqua, Chairman
Gerald Dolan

Tracie Ruzicka

Paul Thomas

Secretary – Arlene Campbell

MEMBERS ABSENT

Jack Auspitz

Robert Marrapodi

ALSO PRESENT

Eliot Werner, Liaison Officer

Chairman DePasqua called the meeting to order at 7:30 pm. He explained the two-steps process of the variance application to the applicant.

VARIANCE APPLICATION:

Randlev and Snow Lot Line Adjustment – properties on 27 Silver Lake Road and 701 Slate Quarry Road, **Tax Grid Nos. 6469-00-146640 and 173597.**

The Randlevs wish to convey ±6.928 acres of their lands to the Snow/Foxs.

John Decker, Land Surveyor appeared on behalf of the property owners. He explained that the Snow/Foxs wish to buy a portion of the Randlevs' lands and combine this portion to the Snow/Foxs' lands. The proposed action will make the Snow/Foxs' parcel to ±11.428-acres. The Randlevs will then have ±5.099-acres. Both parcels sit in the C Zoning District.

Mr. Decker expounded the layout of the proposed lot line. He stated that he didn't have the time to add the vicinity and area map on the sketch plan but this will be included on the final map.

Chairman DePasqua asked for questions and comments from the board.

Mr. Thomas asked the applicant how wide is Lot 2. Mr. Decker responded that Lot 2 (Randlevs) will have a width of 350 feet after the lot line.

Mr. Thomas remarked that the required minimum lot width in this district is 400' feet per the zoning regulation.

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Chairman DePasqua noted that the board cannot create a nonconforming lot. The board exchanged opinion about the above matter. Mr. Thomas commented that the Randlevs will need a variance to the required minimum lot of 400 feet before the lot line can be addressed.

After all the discussions and reviews were made, Mr. Decker agreed to move the lot line to accommodate the required minimum lot width of 400 feet. The names and address of the property owners across the Randlevs also need to be added on the map.

Ms. Ruzicka stated that a statement from the Zoning Administrator regarding any violations on these properties is missing on file. Ms. Campbell responded that there are no violations on both parcels. This application cannot be on the agenda if there is an existing violation. She asked to include a condition about the no violation letter to the lot line approval. The board agreed.

The board passed a resolution.

Ms. Ruzicka motioned that the Town of Clinton Planning Board grants conditional Final approval of the Lot Line Adjustment between the lands of Yvonne Randlev, **Tax Grid No. 6469-00-146640** and the lands of Zachary Snow and Judith Fox, **Tax Grid No. 6469-00-173597** properties located at 27 Silver Lake Road and 701 Slate Quarry Road, Rhinebeck NY, respectively in the C Zoning District for the purpose of conveying ± 6.928 acre parcel from Randlev to Snow/Fox. This lot is not a separate building lot and is to become part and parcel of Snow/Fox's existing ± 4.5 acre parcel, thereby creating ± 11.428 acre parcel. The Randlev's parcel will then be ± 5.099 acres.

WHEREAS:

1. All fees have been paid.
2. A consent of authorization to act has been filed for John Decker to act on behalf of both parties, dated June 19, 2018.
3. The parcel is not in the Ag District.
4. The property is not in the CEA.
5. The property is not in a Scenic and Historic Overlay District.
6. A Short Form EAF has been prepared.
7. Lot Line Adjustment is a Type II action under SEQR, no further action is required.
8. The Planning Board does not require public hearing on this action.
9. There are no variances on either parcels.

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NOW THEREFORE, BE IT RESOLVED, the Town of Clinton Planning Board approves the requested Lot Line Adjustment when the following conditions are met:

- a. Lot 2 will be reshaped to accommodate the required minimum lot width of 400 feet.
- b. Names±, address and parcel number of landowners across the street on Silver Lake (Pozza) is labeled on the map.
- c. Vicinity map is added on the map.
- d. Property owner's name will be added on the map.
- e. Zoning Administrator's signed off that there are no violations on both properties.

Seconded by Mr. Thomas.

Discussion. None.

All Aye, Motion carried, 4-0.

Casperkill Game Club and Knight Lot Line Adjustment – Private Road and Kansas Road, Tax Grid Nos. 6368-00-727892 and 756914 and 6369-00-727892.

Casperkill Game Club wishes to purchase 6.5 acres of lands from Kathleen Knight and combine this lot to their parcels.

Bill Siegrist was back before the board. He recapped what had transpired at the previous meeting. He presented the map that was created by the new surveyor, Marie Welch. He also noted that the Dutchess County Clerks's office will not accept the deed consolidation until the lot line adjustment is completed.

It was noted and agreed at the last meeting to consolidate the two parcels before conveying the northern portion of the lands to prevent creation of a nonconforming lot.

Chairman DePasqua asked for questions and comments from the board.

Mr. Dolan opined that this concern can be remedied by completing the lot line process and doing the deed consolidation of the remaining lands simultaneously.

The board reviewed the newly submitted map (drawn by Marie Welch). The board agreed that the latest survey drawn by Ms. Welch is missing a lot of items.

After a very lengthy discussion, the board agreed to use the revised map drawn by Carney Rhinevault. All the required items are on this map.

The board agreed to pass a resolution, to wit:

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Mr. Dolan motioned that the Town of Clinton Planning Board approve the following resolution:

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 located near Kansas Road tax grid numbers 132400-6368-00-756914 & 727892 (combined as Parcel A) and lands owned by Casperkill Game Club Inc., Kansas Road tax grid # 132400-6369-00-825374 Parcel B

WHEREAS:

1. The intent of this action is to transfer land between the two properties as a result of a land sale as shown on the Lot Line Adjustment plat created by Carney Rhinevault L.S. 49097 dated 6/14/2018.
2. The transfer will be accomplished by consolidating the 2 parts of Parcel A totaling 15.28 acres and adding a new lot line as shown on the plat thereby transferring 6.50 acres to Parcel B leaving 8.78 acres in Parcel A.
3. A deed consolidation is pending for the 2 lots making up Parcel A and will be filed simultaneously with this Lot Line Adjustment. This is necessary to avoid the creation of any substandard lots by this action.
4. The combined Parcel A is land under a conservation easement from the Dutchess Land Conservancy which has approved this transaction. The parcels are contiguous with approximately 104 other acres owned by Kathleen Knight which are also under easement by DLC. The 6.5 acres to be conveyed is subject to perpetual conservation easement, granted to Dutchess Land Conservancy in a deed dated December 15, 2000 and recorded with the Dutchess County Clerk on December 27, 2000 at Document Number 02-2000-11672. Pursuant to Section 9.5 of the conservation easement, no rights to construct structures and improvements permitted by the easement are allocated to the Casperkill Game Club, Inc. as part of this conveyance
5. Since a lot line adjustment is a Type II action under SEQRA, no further SEQRA review is required.
6. The proposed lot line adjustment does not create a substandard lot or render any lot more substandard than it may already be.
7. The properties are not located in the Ridgeline, Scenic, and Historic Protection Overlay district.

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8. The applicants' Lot Line Adjustment plat has met all the requirements of the Town of Clinton's Subdivision and Lot Line Adjustment Regulations.
9. All required letters of authorization to represent any or all property owners are on file.
10. The lands involved are not in an Ag District or within 500 ft of a farm in an Ag district therefore an Ag data statement not required.
11. The properties are not in a designated wetland.
12. The site is on a Clinton Scenic/Historic road, that being Kansas Road and therefore must conform to Local Law # 3 of 2001
13. All appropriate fees have been paid.

NOW THEREFORE, BE IT RESOLVED, that the The Lot Line Alterations are granted approval by the Town of Clinton Planning Board when the following conditions are met:

- a. The labels 'Parcel A' and 'Parcel B' are placed in the appropriate locations on the plat
- b. Proof of consolidation will be provided to the Town of Clinton Planning Board Clerk.

Seconded by Mr. Thomas.

Discussion. None.

All Aye, motion, 4-0.

BOARD DISCUSSION: Mr. Werner gave an update about the zoning revision. The committee is wrapping it up and a draft copy will be presented to the Town Board.

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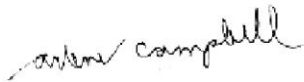
APPROVAL OF MINUTES:

Ms. Ruzicka motioned to approve the minutes of June 5, 2018, seconded by Mr. Dolan.

ADJOURNMENT:

Mr. Dolan motioned to adjourn the meeting at 8:45 pm, seconded by Ms., Ruzicka, All Aye, Motion carried, 4-0.

Respectfully Submitted,



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