

**TOWN OF CLINTON  
PLANNING BOARD REPORT  
TOWN BOARD MEETING  
August 14, 2018**

**July 17, 2018 PB Meeting**

O'Brien Area Variance - property on 203 Silver Lake Road, Tax Grid No. 6470-00-349027.

Applicant seeks an area variance to Sec. 250-22(A)(3) of the Town of Clinton Zoning Law to permit the building of an accessory garage in front of the principal structure

- This is a 20-acre property in the C Zoning district.
- The garage would be in front of the principal residence, which is farther up the same driveway.
- The proposed garage is more than 100 feet from the fronting street which is permitted.
- The board felt that the proposed site is less restrictive and does not necessitate a variance but the board is just doing a recommendation and the Zoning Board of Appeals has the final say.

Received a positive recommendation to the Zoning Board of Appeals.

Milea Site Plan approval - property on Rymph and Hollow Road, Tax Grid No. 6366-00-120767.

Applicant wishes to build two agricultural structures (connected via breezeway) for winery and vineyard purposes.

- This is 88.89-acre parcel in the AR3 Zoning District.
- Applicant is proposing to build 25' x 42' and 22' x 18' structures for wine tasting. One structure may be used for direct marketing of vineyard products.
- This property has Agricultural Exemptions.

After reviewing the sections of the zoning law, the board agreed that the proposed project does not require a Site Plan Approval and is under the jurisdiction of Ag and Markets Ruling.

No other action taken.

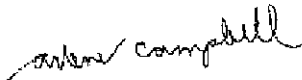
## **August 7, 2018 PB Meeting**

Stewarts Shop Area Variance – 2300 Salt Point Turnpike, Tax Grid No. 6566-00-33145.

The applicant requests an area variance to Sec. 250-11 Stewart's Shops Corp. from Section 250-11(C)(5) of the Town of Clinton Zoning Law allowing hours of operation from 5:00 a.m. to 11:00 p.m. for the store and gas station.

- This property is in the Hamlet.
- Site Plan and Special Permit was approved in 1993.
- Section 250-11(C)(5) of the Zoning Law limits hours of operation for commercial uses in the Hamlet District to 6:00 a.m. to 10:00 p.m.
- The Zoning Law defines a "Convenience Store" as "[a] retail store, primarily used to sell food, beverages, and/or household supplies, which has hours of operation outside of those prescribed in Section 250-11."
- Convenience stores are not permitted in any Zoning District in the Town of Clinton.
  
- After a very lengthy discussion, the board issued a neutral recommendation to the Zoning Board of Appeals.

Prepared by:



Arlene Campbell  
Building, Planning and Zoning Board of Appeals Clerk

Cc: Eliot Werner, Liaison Officer

**TOWN OF CLINTON  
ZONING BOARD OF APPEALS MEETING  
MONTHLY REPORT  
TB meeting 8-14-18**

**Joseph and Janet O'Brien** on property located on 203 Silver Lake Road Tax grid # 6470-00-349027.

Applicants request an area variance to Sec. 250-22 A-3 of the Town of Clinton Zoning Law for the placement of an accessory structure (garage) closer to the fronting street than the principal building.

- This is a 20-acre property in the C Zoning District.
- The property owner wishes to build a garage on an existing driveway.
- The applicant stated that the garage cannot be built adjacent to the home due to steep slopes and location of the existing well.
- The proposed site is more than 100 feet of the front yard.

After a lengthy discussion, the board determines that a variance to permit the building of an accessory garage in front of the principal structure is not necessary. The proposed site meets the requirements of Sec. 250-22(A)3 of the Town of Clinton Zoning Regulations.

No other action taken.

**Weber/Black Area Variance (continuance)** - on property located at Bryans Way, Tax Grid No. 6469-10-325617,

The applicant seeks the following area variances to convert a pre-existing garage into a single family dwelling where the Dwelling standards require 864 square feet minimum for the ground floor and the garage is 528 square ft.

Section 250-48 of the Town of Clinton Zoning Law to reduce the minimum square footage of the dwelling from 864 to 528 square feet

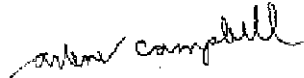
- This is a nonconforming lot of .24 acre parcel in a C Zoning District.
- One of the major concerns from the previous discussion was about the change in the garage use to a one family dwelling.
- With regards to the concern about the septic approval with seasonal use, The Department of Health has recently issued a letter waiving the restriction for seasonal use.
- The Zoning Administrator made a determination that the request is an area variance application.

- The Town Attorney gave his opinion that the above request is an area variance instead of a use variance.
- The board felt that the request is neither an area variance nor a use variance. They feel that there should be a third variance category which is a change in the nonconforming use.
- The board had a very lengthy discussion and review of Article VI (Nonconforming uses and Structures), Sec. 250.98 E-2, Section 250.81 C (Nonconforming use) and Sec. 250.19-C (Minimum Lot area per dwelling unit)

After a very long discussion, the board agreed to vote, 3 Nay, 1 Aye, Requested variance denied.

No other action taken.

Submitted by:



Arlene A. Campbell  
Zoning Board of Appeals Clerk

Cc: Eliot Werner, Liaison Officer

CAC Report  
For  
August 14<sup>th</sup>, 2018 Town Board Meeting

There was no meeting of the CAC in July

A meeting was held on August 8<sup>th</sup> at 4:30pm

- There was a discussion of the new benchmarking program, and the steps being taken to implement it.
- A short discussion was had regarding the Good Energy Community Choice Aggregation workshop on July 24<sup>th</sup>.
- The CAC and Library are continuing to collaborate on programs. On Thursday, August 30<sup>th</sup> at 6:30am there is a program being presented by a volunteer from Cornell Cooperative Extension entitled “Rediscovering Native Alternatives to NYS Invasive Perennials”.

Report prepared by  
Michael Whitton

**Recreation Department  
Town Of Clinton  
July 2018**

**ACTIVITIES:**

Summer camp will be: Grades K-5 for 4 weeks and grades 6-8 for 2 weeks.

Summer Camp for Middle School (6-8) will be 2 weeks. Week of July 9<sup>th</sup> and August 6<sup>th</sup>.

*\*Camp fee is \$75 resident and \$175 nonresident.*

***Camp Weeks:***

**July 9-13**

\* This week cancelled due to not enough signed up.

**July 16-20**

\*K-5 --- 10 kids

\* 6-8 -- 11 kids

**August 6-10**

\*K-5 only with 13 kids

**August 13-17**

\*K-5 --- 16 kids

\*6-8 --- 12 kids

## **EQUIPMENT NEEDS:**

New equipment needed at Fran Mark Park. Safety issue.

- \*merry go round
- \*lifeguard chair

A sign stating hours we are open at Fran Mark Park. (Still working on this)

- Dawn to dusk April 1 – October 31<sup>st</sup>.
- Park closed for the winter November 1<sup>st</sup>-April 31st.

## **ISSUES:**

- Fountain is not working at the park. Having it looked at, as it may have been struck by lightning.
- Getting a price quote to replace the roof on the dugouts at Fran Mark Park and Bathrooms at Friends Park. They are in bad shape.
- Getting a price quote to replace the fence at Friends Park. It's 35 plus years old and needs to be replaced.

## **Miscellaneous:**

### **Pavilion Fee's:**

\$150 for resident  
\$250 non resident  
\$350 organization  
\$700 Commercial Rental

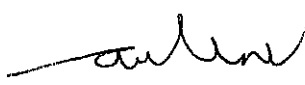
*Camp fee is \$75 resident and \$175 nonresident.*

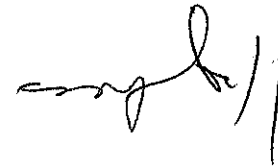
Respectfully submitted by  
Dan Harkenrider  
Recreation Director

Town of Clinton Building Department  
July 2018 Monthly Report  
Town Board Meeting 8-14-18

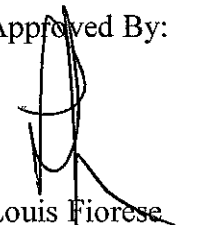
Number of Building Permits Issued	19
Number of CO & CC issued	10
Number of Title Search	14
Total Number of Mileage by the Building Inspector	<u>137</u> miles
Total Cost of Construction	\$ <u>1,036,657.54</u>

Prepared By:

  
Arlene Campbell  
PB, ZBA, BD Clerk



Approved By:

  
Louis Fiorese  
Building Inspector



# Permit Report By Type

07/01/2018 - 07/31/2018

## Permit Type

Permit #	Applicant	Parcel Location	SBL#	Issued	Valuation	Fee Amount
<b>Accessory Alteration</b>						
BP-2018-6789	Leonard Nelson	16 Bel Air Dr	6469-00-53855	07/12/2018	3,500.00	115.00
<b>Accessory Alteration Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>3,500.00</b>	<b>115.00</b>
<b>Deck/Porch</b>						
BP-2018-6787	Suzana Apelbaum	77 Camp Dr	6468-05-13079	07/10/2018	19,747.54	186.80
BP-2018-6795	Deven Fisher	137 Fiddlers Bridge Rd	6267-00-88369	07/17/2018	3,500.00	212.00
<b>Deck/Porch Total:</b>						<b>2</b>
<b>Amount Totals:</b>					<b>23,247.54</b>	<b>398.80</b>
<b>Garage - Detached</b>						
BP-2018-6784	Eric Johnson	196 Clinton Corners Rd	6566-00-55210	07/05/2018	20,000.00	272.00
<b>Garage - Detached Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>20,000.00</b>	<b>272.00</b>
<b>Generator</b>						
BP-2018-6792	James De Groat	28 E Meadowbrook Ln	6367-00-42539	07/17/2018	6,070.00	115.00
BP-2018-6796	David Veith	1556 Centre Rd	6469-00-43343	07/19/2018	6,000.00	90.00
<b>Generator Total:</b>						<b>2</b>
<b>Amount Totals:</b>					<b>12,070.00</b>	<b>205.00</b>
<b>In Ground Pool</b>						
BP-2018-6780	Dari Alexander	275 Fox Run Rd	6366-00-84516	07/04/2018	62,905.00	225.00
BP-2018-6791	Irving Solero	218 Browning Rd	6366-00-69538	07/12/2018	210,000.00	687.20
BP-2018-6793	Michael Hoffmann	348 Nine Partners Rd	6568-00-25559	07/17/2018	40,000.00	225.00
<b>In Ground Pool Total:</b>						<b>3</b>
<b>Amount Totals:</b>					<b>312,905.00</b>	<b>1,137.20</b>
<b>Mechanical</b>						
BP-2018-6781	The Dutchess LLC	68 Naylor Rd	6268-00-59136	07/04/2018	5,000.00	90.00
<b>Mechanical Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>5,000.00</b>	<b>90.00</b>
<b>Oil Tank</b>						
BP-2018-6782	Brian Murphy	83 Willow Ln	6567-00-12988	07/05/2018	4,960.00	115.00
BP-2018-6790	Susan Levi	39 Lake Pleasant Dr	6268-00-77807	07/12/2018	1,975.00	115.00
<b>Oil Tank Total:</b>						<b>2</b>
<b>Amount Totals:</b>					<b>6,935.00</b>	<b>230.00</b>
<b>Pergola</b>						
BP-2018-6788	Howard Jacobs	360 Hollow Rd	6267-00-97116	07/12/2018	123,000.00	449.00
<b>Pergola Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>123,000.00</b>	<b>449.00</b>
<b>Renovation</b>						
BP-2018-6786	Mark Wiedman	176 Schoolhouse Rd	6467-00-05873	07/09/2018	170,000.00	590.00
<b>Renovation Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>170,000.00</b>	<b>590.00</b>
<b>Residential Addition</b>						
3136	Roger Hof	25 Woodlea Rd	6466-00-10086	07/03/2018	35,000.00	480.00

**Permit Type**

Permit #	Applicant	Parcel Location	SBL#	Issued	Valuation	Fee Amount
					<b>Residential Addition Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>35,000.00 480.00</b>
<b>Residential Alteration</b>						
BP-2018-6785	Rick Vidal	430 Schultz Hill Rd	6268-00-98285	07/05/2018	300,000.00	980.00
BP-2018-6794	Jeffrey Baker	130 Schultz Hill Rd	6368-00-48746	07/17/2018	3,000.00	125.00
					<b>Residential Alteration Total:</b>	<b>2</b>
					<b>Amount Totals:</b>	<b>303,000.00 1,105.00</b>
<b>Roof Mounted Solar ES</b>						
BP-2018-6797	Peter Jacob	1549 Hollow Rd	6566-00-27536	07/19/2018	19,000.00	150.00
					<b>Roof Mounted Solar ES Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>19,000.00 150.00</b>
<b>Site Prep</b>						
BP-2018-6783	Shawn Farrell	Leo Meyers 107 Maple Ln	6468-00-66490	07/05/2018	3,000.00	89.00
					<b>Site Prep Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>3,000.00 89.00</b>
					<b>Permit Grand Total:</b>	<b>19</b>
					<b>Amount Grand Totals:</b>	<b>1,036,657.54 5,311.00</b>

August 06, 2018

# Town of Clinton CO & CC Issued Report

Completion Dates From July 01, 2018 to July 31, 2018  
Contact Type : Applicant

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
<b>Farm Structures</b>						
BP-2017-6704	6368-00-25965CO		5462	Donald Hart	Schultz Hill Rd	7/3/2018
Farm Structures # of CC/CO :Issued : 1						
<b>Garage - Detached</b>						
2082	6367-00-42539CC		1399	Groat James De	28 E Meadowbrook Ln	7/10/2018
Garage - Detached # of CC/CO :Issued : 1						
<b>Generator</b>						
BP-2018-6757	6466-00-50586CC		1400	Denis De Santis	19 Oak Grove Rd	7/10/2018
Generator # of CC/CO :Issued : 1						
<b>HVAC</b>						
BP-2018-6766	6466-00-60096CC		5464	James Pellegrino	10 Old Hollow Rd	7/11/2018
HVAC # of CC/CO :Issued : 1						
<b>In Ground Pool</b>						
BP-2012-5973	6267-00-97116CC		1401	Howard Jacobs	360 Hollow Rd	7/12/2018
In Ground Pool # of CC/CO :Issued : 1						
<b>New Residential</b>						
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date

BP-2017-6712      6267-00-33868CO      5463      Michael Butler      42 Upper Meadows Dr      7/5/2018

New Residential # of CC/CO :Issued :      1

**Oil Tank**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2018-6790	6268-00-77807CC		5466	Susan Levi	39 Lake Pleasant Dr	7/22/2018

Oil Tank # of CC/CO :Issued :      1

**Residential Addition**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
140	6268-00-77807CO		5465	Fritz & Lisa Levi	39 Lake Pleasant Dr	7/12/2018
BP-2017-6691	6267-00-73523CO		5467	Mary Steiner	Mary Steiner 276 Hollow Rd	7/31/2018

Residential Addition # of CC/CO :Issued :      2

**Roof Mounted Solar ES**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2018-6776	6469-00-96710CC		1402	Robert Fernandez	81 Longview Rd	7/31/2018

Roof Mounted Solar ES # of CC/CO :Issued :      1

**Grand Total:**      10

AUGUST 7, 2018

TO: TOWN BOARD

FROM: Michael Appolonia  
Zoning Administrator

**SUBJECT: JULY 2018 ZONING ADMINISTRATOR REPORT**

**FALLKILL ROAD**

A Certified Notice of Violation has been delivered to the owner of the property. This "ORDER TO REMEDY" was prepared after several Examinations, and Inspections. Rubbish, garbage, and junk cars, are some typical items requiring remediation. The homeowner has until August 30, 2018 to remedy the infractions, after which the Town will impose penalties, in accordance with Town Code.

**LONG POND ROAD**

The property is in a severe state of disrepair, Condemnation proceedings will be pursued.

**REVIEW OF PERMITS**

The Zoning Administrator reviewed nineteen (19) permits. These permits regarded types such as, Solar, Pool, Mechanical Renovations, oil tanks, and Additions to Property.

**NEIGHBOR COMPLAINT, SCHULTZ HILL ROAD**

A notice of violation to the T.O.C Zoning code, regarding excessive noise associated with Home Business, has been received. A remedy is anticipated.

**OBTRUSIVE LIGHTING, CENTER ROAD**

Overhead driveway lighting, which was a distraction for drivers after dark, has been addressed. The property owners have modified the light pattern with the goal of remedying the problem. Some improvement has been attained.

**DEER RIDGE DR**

A smoke and fume complaint concerning an "across the street neighbor" was evaluated by the Zoning Administrator. As a result of a prior complaint, on this same subject, dated May 4, 2017, the Town Justice, in Town of Clinton Justice Court found the defendants, not guilty. It is the Zoning Administrators opinion, based on the facts presented at this time, the new complaint" does not rise to a level of a prosecutable offense. An appeal may be made, of this decision, by the complainant, in the Zoning Board of Appeals, in the Town of Clinton.

**FIDDLERS BRIDGE RD.**

A Notice of Violation for this property has been issued to the absentee Landlord. Since "no response" was attained Court Action will be pursued in this matter.

TEE PEE Fiddlers Bridge Rd.

A letter of complaint regarding the Tee Pee was attempted to be delivered several times. The Zoning Administrator will hand deliver the citation.

CRIMSON HILL DEVELOPMENT

The overly large signs at the Crimson Hill Development has been addressed. The Realtor has responded to the Zoning Administrators request for action to remedy. The Realtor is on the Planning Board Agenda.

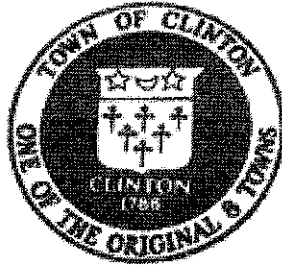
SCHULTZVILLE ROAD

A stop Work Order for stream disturbance was issued. The Representative has processed all required documents, and is on the agenda for the August Planning Board Meeting.



8-8-18

Michael Appolonia  
Zoning Administrator



Highway Report  
For  
August 2018 Meeting

- Storm clean up- clear fallen trees
- Cut hazardous trees with Bucket Truck
- Repair wash outs on town roads
- York rake dirt roads from heavy rain
- Dirt patching is ongoing
- Roadside Mowing is ongoing

Library Report  
For  
August 14th, 2018 Town Board Meeting

The Library trustees met on August 13<sup>th</sup>, 2018.

- Circulation is continuing its increase this year. The library has increased circulation by about 10% so far this year as compared to the same period last year.
- The Lunch & Learn, Chair Yoga, and Tai Chi programs have seen dramatic increases in community participation this year.
- The Friday night concerts are ongoing and seeing increased audiences this summer, as well.
- The Community Tag Sale and Book Sale has been scheduled for September 22<sup>nd</sup>, from 9am to 3pm.
- The Clinton Community Library has been nominated for the Joseph F. Shubert Library Excellence Award. This award recognizes small, medium, and large libraries that have taken significant steps within the past two years to improve the quality of library services to users. It comes with a \$1,000 gift. We look forward to hearing the announcement of this award in November.

Report prepared by  
Michael Whitton



Altice Report  
For  
August 14th, 2018 Town Board Meeting

There was no communication from Altice to the town this past month. Nothing to report.

Report prepared by  
Michael Whitton

WIC Report  
For  
August 14th, 2018 Town Board Meeting

The quarterly meeting of the Wappinger Creek Watershed Inter-municipal Council was held on July 27<sup>th</sup> at the Dutchess Farm and Home Center. I was unable to attend, but Councilmember Eliot Werner did attend. Being summer, it was a lightly attended meeting, with the lack of a quorum. As such, two resolutions in support of watershed related funding opportunities for the Town Wappinger did not come to the floor for a vote.

There was discussion of the Wappinger Creek 9-Element Plan, as well as a presentation regarding flood mitigation projects and current ongoing work.

Report prepared by  
Michael Whitton