

**TOWN OF CLINTON  
PLANNING BOARD REPORT  
TOWN BOARD MEETING  
October 9, 2018**

**September 18, 2018 PB Meeting**

**Brands 2 Lot subdivision (Preliminary and Final Approval ) - property on 110 Rymph Road, Tax Grid No. 6266-00-920931**

Applicant wishes to subdivide a 98 acre parcel into 2 lots. Parcel A – 19.69 acres and Parcel B – 78 acres.

- The property is in the AR3 and AR5 Zoning Districts.
- This is a 98 .61 acre parcel which comprises of 19.69 acres on the east side and 78.92 acres on the west side of Rymph Road.
- Property owner to the west side wishes to buy the lot.
- Applicant noted that over 70 acres of land will remain the Forest Act (480 (a) RPTL). There are no plans for any additional residential building on the property.
- Public hearing was opened and closed.
- Negative Declaration was issued for SEQRA purposes.
- Preliminary and Final Approval is granted.

**Gendron Lot Line Adjustment - 70 Nine Partners Road, Tax Grid Nos. 6468-00-566462 and 562378.**

Applicant wishes to move the lot line of the parcels they own.

- The applicant wants to take 0.39 acres of lands from Parcel A (Tax Grid No. 566462 - 5.39 acres) to increase Parcel B (Tax Grid No. 562378- 19.76 acres). Parcel A will then have 5 acres and Parcel B will have 20.15 acres.
- Both parcels sit in an AR5 Zoning District.
- Requested Lot Line Adjustment is granted.

**Gleed and Marion Thompson Site Plan and Special Permit - 1413 Hollow Road , Tax Grid No. 6566-00-003426.**

Applicant wishes to legalize the second dwelling on the property.

- Applicant claims that the second dwelling above the garage existed when property was acquired in 1985.

- The board had a very lengthy discussion whether the second dwelling predates the zoning. There were also discussions about fire safety code.
- The board agreed to defer the question and concern to the Building Inspector.
- No action taken.

### **October 2, 2018 PB Meeting**

#### **Crimson Hill Area Variance – property own by BDK3 Enteprise LLC, Tax Grid No. 6469-00-451512.**

Applicant seeks an area variance to Sec. 250-70 (F) regarding the oversized advertising signs on Crimson Hill Road. Sign permit is also required.

- The applicant received a violation letter regarding the oversized sign posted on Crimson Hill Road
- Sec. 250-70(F) limits the size of the sign to 20 square feet per sign.
- There are two back to back signs that measure 72" x 48" for a total of 24 square feet.
- Sec. 250-70(C) states that any sign greater than eight square feet in size shall be considered a "structure" which necessitate the setback and other zoning requirement. The signs in question are located 34 feet from the center line of the road.
- After a lengthy discussion, the applicant agreed to reconfigure the back to back signs, thus constituting one sign for purposes of Sec. 250-70 to eliminate the necessity for a variance relating to the number of signs.
- Received a neutral recommendation to the Zoning Board of Appeals.

#### **Forziatti Wetlands Permit (continuance) – 465 Schultzville Road, Tax Grid No. 6567-00-134518**

Applicant requests Water Law Permit due to disturbance within the buffer of Wappinger Creek and pond.

- The property owner wishes to dredge 3500 cubic yards of materials and restore the existing pond on the property.
- Section 250.78 of the Town of Clinton Zoning Law prohibits construction within 100 feet of a stream unless a Permit is issued by the Planning Board

- NYSDEC Permit was issued and about to expire at the end of the year.
- Comments were received from the Town Engineer regarding the proposed project.
- Short Form EAF was reviewed and Negative Declaration for SEQRA purposes was issued.
- Wetlands (Water Law) Permit is granted with conditions.

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 10-16-18**

**Stewart's Shop Corp** on property located at 2300 Salt Point Turnpike Tax Grid No. 6566-00-331547.

The applicant requests a variance to 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.

- Stewarts shop hours of operation is currently 6 am to 10 pm.
- **Section 250-11(C)(5) of the Town of Clinton Zoning Law** limits hours of operation for commercial uses in the Hamlet District to 6:00 a.m. to 10:00 p.m.
- Primary use of the property is grocery store and gas station is an accessory use.
- It was noted that there has been extensive discussion over many years whether extending the hours of operation of a permitted use requires a use variance or an area variance.
- ZBA has determined that extending the hours of operation by two hours does not represent a change in use but rather a change in a dimension of the existing permitted use, and therefore requires an area variance.
- The change in operating hours will not produce an undesirable change in the neighborhood since the location of the store is on the edge of the hamlet and shielded from neighbors by landscaping.
- The extended hours of operation will not have an adverse effect on physical and environmental conditions in the neighborhood because the business flows from existing traffic.

- After a very lengthy discussion, the board concluded that the benefits to the community outweighed any potential negative impacts.

Requested variance is granted.

Submitted by:



Arlene A. Campbell  
Zoning Board of Appeals Clerk

Cc: Eliot Werner, Liaison Officer

CAC Report  
October 9th, 2018 Town Board Meeting

The Conservation Advisory Committee has not met since our last town board meeting. The October meeting is tomorrow, October 10, at 4pm.

- There is a Household Hazardous Waste & Electronic Disposal on October 27<sup>th</sup>, from 8am to 12:30pm. It will be held at the Dutchess County Department of Public Works. For more information visit [Dutchessny.gov](http://Dutchessny.gov)

Report prepared by  
Michael Whitton

Town of Clinton Building Department  
September 2018 Monthly Report  
Town Board Meeting 10-09-18

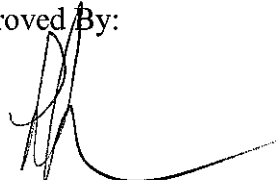
Number of Building Permits Issued	21
Number of CO & CC issued	16
Number of Title Search	4
Total Number of Mileage by the Building Inspector	<u>165 miles</u>
Total Cost of Construction	\$ <u><u>637,906.60</u></u>

Prepared By:



Arlene Campbell  
PB, ZBA, BD Clerk

Approved By:



Louis Fiorese  
Building Inspector

# Permit Report By Type

09/01/2018 - 09/30/2018

## Permit Type

Permit #	Applicant	Parcel Location	SBL#	Issued	Valuation	Fee Amount
<b>Above Ground Pool</b>						
BP-2018-6819	Raymond Mc Carthy	1253 Hollow Rd	6466-00-87294	09/06/2018	8,000.00	660.00
<b>Above Ground Pool Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>8,000.00</b>	<b>660.00</b>
<b>Barn/Shed</b>						
BP-2018-6825	Stuart Findlay	High View Ln	6367-00-40199	09/19/2018	2,000.00	110.00
BP-2018-6827	Louis Johnson	392 Hollow Rd	6267-00-97510	09/20/2018	30,000.00	225.00
<b>Barn/Shed Total:</b>						<b>2</b>
<b>Amount Totals:</b>					<b>32,000.00</b>	<b>335.00</b>
<b>Deck/Porch</b>						
BP-2018-6811	Mason Mullamphy	221 Schultz Hill Rd	6368-00-19547	09/04/2018	5,000.00	235.00
BP-2018-6831	Heather Ogborn	169 Willow Ln	6567-00-29095	09/27/2018	10,000.00	243.00
<b>Deck/Porch Total:</b>						<b>2</b>
<b>Amount Totals:</b>					<b>15,000.00</b>	<b>478.00</b>
<b>Farm Structures</b>						
BP-2018-6823	John Heist	245 E Meadowbrook Ln	6467-00-02147	09/19/2018	250,000.00	305.00
<b>Farm Structures Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>250,000.00</b>	<b>305.00</b>
<b>Generator</b>						
BP-2018-6813	Amy Cocina	25 Slate Quarry Rd	6369-00-84278	09/06/2018	5,000.00	90.00
BP-2018-6814	Thomas Rea	89 W Meadowbrook Ln	6367-00-15431	09/06/2018	9,585.00	90.00
BP-2018-6817	Damion Townsend	328 Kansas Rd	6369-00-77458	09/06/2018	11,395.00	100.00
BP-2018-6821	Carl Batlin	392 Mountain View Rd	6369-00-45854	09/17/2018	11,375.00	90.00
BP-2018-6822	Peter Riegert	67-73 Browning Rd	6366-00-37027	09/18/2018	8,305.00	90.00
BP-2018-6828	Randall Downey	1481 Centre Rd	6469-00-29625	09/20/2018	4,900.00	90.00
<b>Generator Total:</b>						<b>6</b>
<b>Amount Totals:</b>					<b>50,560.00</b>	<b>550.00</b>
<b>Hot Tub</b>						
BP-2018-6812	Philip Knollmueller	909 Centre Rd	6467-00-22590	09/06/2018	10,000.00	110.00
BP-2018-6826	Kirk Reinert	42 Longview Rd	6468-00-90696	09/20/2018	6,300.00	100.00
<b>Hot Tub Total:</b>						<b>2</b>
<b>Amount Totals:</b>					<b>16,300.00</b>	<b>210.00</b>
<b>HVAC</b>						
BP-2018-6816	Stephen Perepeluk	696 Centre Rd	6467-00-14037	09/06/2018	6,495.00	115.00
<b>HVAC Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>6,495.00</b>	<b>115.00</b>
<b>In Ground Pool</b>						
BP-2018-6818	Manelous Bougades	176 E Meadowbrook Ln	6367-00-80042	09/06/2018	10,000.00	225.00
<b>In Ground Pool Total:</b>						<b>1</b>
<b>Amount Totals:</b>					<b>10,000.00</b>	<b>225.00</b>
<b>Mechanical</b>						
BP-2018-6824	Alice Rolfe	401 Schultz Hill Rd	6268-00-86162	09/19/2018	5,517.60	125.00



**Permit Type**

<b>Permit #</b>	<b>Applicant</b>	<b>Parcel Location</b>	<b>SBL#</b>	<b>Issued</b>	<b>Valuation</b>	<b>Fee Amount</b>
				<b>Mechanical Total:</b>		<b>1</b>
				<b>Amount Totals:</b>	<b>5,517.60</b>	<b>125.00</b>
<b>New Residential</b>						
BP-2018-6820	Danielle DeGraw	23 Woodlands Trl	6466-00-73698	09/12/2018	220,000.00	687.00
				<b>New Residential Total:</b>		<b>1</b>
				<b>Amount Totals:</b>	<b>220,000.00</b>	<b>687.00</b>
<b>Oil Tank</b>						
BP-2018-6815	Paul English	200 Zipfeldburg Rd	6369-00-05938	09/06/2018	1,385.00	115.00
BP-2018-6830	Alex Santoro	38 Ryan Ct	6566-00-41032	09/27/2018	4,455.00	115.00
				<b>Oil Tank Total:</b>		<b>2</b>
				<b>Amount Totals:</b>	<b>5,840.00</b>	<b>230.00</b>
<b>Tent</b>						
BP-2018-6829	The Dutchess LLC	68 Naylor Rd	6268-00-59136	09/27/2018	18,194.00	259.93
				<b>Tent Total:</b>		<b>1</b>
				<b>Amount Totals:</b>	<b>18,194.00</b>	<b>259.93</b>
				<b>Permit Grand Total:</b>		<b>21</b>
				<b>Amount Grand Totals:</b>	<b>637,906.60</b>	<b>4,179.93</b>

October 03, 2018

# Town of Clinton CO & CC Issued Report

Completion Dates From September 01, 2018 to September 30, 2018

Contact Type : Applicant

Accessory/Addition						
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2012-6002	6466-00-87294CO		5479	Raymond Mc Carthy	1253 Hollow Rd	9/6/2018

Accessory/Addition # of CC/CO : Issued : 1

Deck/Porch						
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
2952	6466-00-87294CO		5478	Carthy Raymond Mc	1253 Hollow Rd	9/6/2018
BP-2009-5580	6468-00-56646CO		5482	Dennis Gendron	70 Nine Partners Rd	9/17/2018
BP-2018-6769	6468-00-73484CO		5477	Todd Zeff	753 Pumpkin Ln	9/4/2018

Deck/Porch # of CC/CO : Issued : 3

Garage - Detached						
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2011-5920	6468-00-56646CO		5480	Dennis Gendron	70 Nine Partners Rd	9/17/2018

Garage - Detached # of CC/CO : Issued : 1

Generator						
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2018-6742	6468-00-47573CO		5486	Joseph La Pointe	1250 Centre Rd	9/19/2018
BP-2018-6813	6369-00-84278CC		1422	Amy Cocina	25 Slate Quarry Rd	9/26/2018

Generator # of CC/CO : Issued : 2

Hot Tub						
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2018-6826	6468-00-90696CO		5487	Kirk Reinhert	42 Longview Rd	9/25/2018

Hot Tub # of CC/CO : Issued : 1

**In Ground Pool**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2016-6550	6467-00-62642CC		1421	Byron Bruce Rooney	110 Horseshoe Trl	9/20/2018

**Oil Tank**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2018-6815	6369-00-05938CC		1423	Paul English	200 Zipfeldburg Rd	9/28/2018

**Renovation**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2018-6728	6367-00-36668CO		5485	Thomas & Donna Seelb	84 Rhynders Rd	9/19/2018
BP-2018-6805	6569-00-19824CO		5484	Frank Valentino	56 Tobin Dr	9/18/2018

**Residential Alteration**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2010-5639	6468-00-56646CO		5481	Dennis Gendron	70 Nine Partners Rd	9/17/2018
BP-2018-6745	6568-00-23671CO		5483	Todd and Melissa Cogg	354 Nine Partners Rd	9/18/2018

**Roof Mounted Solar ES**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2018-6797	6566-00-27536CC		1417	Peter Jacob	1549 Hollow Rd	9/6/2018

**Wood Stove**

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Issue Date
BP-2012-6038	6468-00-56646CC		1418	Dennis Gendron	70 Nine Partners Rd	9/17/2018

Wood Stove # of CC/CO :Issued : 1

**Grand Total:** 16

October 3, 2018

TO: TOWN BOARD

FROM: Michael Appolonia  
Zoning Administrator

**SUBJECT:SEPTEMBER 2018 ZONING ADMINISTRATOR REPORT**

**FALLKILL ROAD**

A resolution authorizing prosecution of violations of the Town of Clinton Zoning Code has been prepared. The Town Board will review the resolution for final approval.

**CENTER ROAD**

Unlicensed and unregistered commercial food trucks were observed on the property. The Zoning Administrator notified the owner of the property, which is a rental. The commercial food trucks were subsequently removed.

**REVIEW OF PERMITS**

The Zoning Administrator reviewed Twenty One (21) building permits. These permits regarded types such as, Solar, Pool, Mechanical Renovations, oil tanks, and Additions to Property.

**DEER RIDGE DRIVE**

The Zoning Administrator reviewed and answered an ongoing complaint concerning smoke, odors and fumes from a neighbors property. Prior complaints were made on the same subject and the Zoning Administer found the complaint does nor rise to a level of a prosecutable offense.

**CRIMSON HILL SUBDIVISION SIGNS**

The subdivision principals appeared before the T.O.C. Planning board due to real estate signs which are oversize. The Sub division will now appear before the Zoning Board of Appeals.

**OLD ADRIANCE FARM**

The farm has created a business without the required building permits, special permits, and site plan review. The principals will apply for all required permits.

**STEWARTS SHOPPS**

The Stewarts Shops has applied for, and was granted by the Zoning Board of Appeals an extension of hours of operation from 6:00 AM opening to 10:00 PM closing to 5:00 AM opening to 11:00 PM closing.

FORZIATI WATER LAW PERMIT

A conditional approval of a water law permit was granted for construction and restoring an existing pond, and accompanying dredging of the pond. The owner already had a NYSDEC stream disturbance permit.

*Michael Appolonia*

Michael Appolonia  
Zoning Administrator



Highway Report  
For  
October 9, 2018 Meeting

- Rain storm clean up- clear waterways and fallen trees
- Clear culvert pipes and catch basins of debris from storms to allow for clear waterway
- Continue service winter trucks in preparation for winter months i.e replace hydraulic hoses, tires, and miscellaneous repairs
- Replace culvert pipe on Cookingham Dr & Tobin Dr
- Roadside mowing
- Dirt patching is ongoing
- Crew is participating in a refresher review of
  - Hazardous Waste/Emergency Response
  - Personal Protective Equipment
  - Respiratory Protection
  - Control of Hazardous Energy
  - Portable Fire Extinguisher
  - Bloodborne Pathogens
  - Hazard Communications
  - Fall protection
  - Rabies
  - Lyme Disease
  - Workplace Violence Prevention
  - Right to Know

Library Report  
October 9th, 2018 Town Board Meeting

The Library Trustees met on September 17<sup>th</sup> for their monthly meeting. Several topics were discussed.

- The upcoming grant from Didi Barrett's office for the handicapped ramp and automatic door was discussed and appreciated.
- The trustees had several questions regarding the paving project at the town hall complex. Those questions were relayed to Supervisor Oberly.
- The Board of Regents met last month, and a vote on the Clinton Community Library receiving an Absolute Charter was on the agenda. Our library began many years ago as a Reading Room. Then, in the mid-90's it was granted a Provisional Charter, which needed to be renewed every 5 years. They were not able to attain an Absolute Charter unless the library demonstrated that it was "educationally sound and stable, and capable of relative permanence". This included having sustainable funding. The trustees would like to express their gratitude to the Town of Clinton community for ensuring sustainable funding when the 414 was passed in November 2017.
- Lastly, there are trustee positions that are currently vacant, and some that will become vacant in the near future. If anyone in the community is interested in becoming a library trustee, please contact the board by email at [cclboard1215@gmail.com](mailto:cclboard1215@gmail.com), or stop into library and ask for Teresa McGuirk, the library Director.

The October meeting of the library trustees was rescheduled due to the Columbus Day holiday. They will meet on Monday, October 15th.

Report prepared by  
Michael Whitton

Altice Report  
October 9th, 2018 Town Board Meeting

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

Report prepared by  
Michael Whitton