

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
March 5, 2019**

**MEMBERS PRESENT**

Art DePasqua, Chairman  
Gerald Dolan  
Jack Auspitz  
Tracie Ruzicka  
Robert Marrapodi  
Paul Thomas

**MEMBERS ABSENT**

**ALSO PRESENT**

Secretary – Arlene Campbell

Eliot Werner, Liaison Officer

Chairman DePasqua called the meeting to order at 7:30 pm.

**VARIANCE APPLICATION:**

None

**PUBLIC HEARING:**

Barnett Site Plan Approval (continuance) – property located at 15 Sodom Road, **Tax Grid No. 6366-00-490674-0000,**

Applicant wishes to install a Ground Mounted Solar System.

Lea Springstead from SunCommon Energy was back on behalf of the property owner. She briefly explained her application as indicated above.

Mr. Dolan motioned to open the public hearing, seconded by Mr. Auspitz, all Aye, Motion carried, 5-0.

Hearing none, Mr. Dolan motioned to close the public hearing, seconded by Ms. Ruzicka, all Aye, Motion carried, 5-0.

**APPLICATION:**

**Barnett Site Plan for Ground Mounted SES -** property located at 15 Sodom Road, **Tax Grid No. 6366-00-490674-0000,**

Applicant proposes to install a 19.62 (DC) kW, 1052 sq. ft. Ground Mounted Solar Energy System on a 3.16-acre lot in an AR3 Zoning District.

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Ms. Springstead was back for the conclusion of her application. She recapped what transpired at the previous meeting. After a long discussion with her client about the board's concern regarding screening due to the proposed structure's high visibility to the surrounding neighbors, they have agreed to plant 19 Colorado Bruce Spruce Trees 8 feet tall. She submitted a photo of the proposed tree.

Mr. Auspitz questioned that the revised plan indicates 12 trees. Ms. Springstead responded that she had an updated map reflecting the corrected number of trees (19).

Mr. Marrapodi expressed his comment based on his recent visit to the property. The neighbor behind this house who appeared at the last public hearing has a large garage and shed that blocks their view to this structure. It is pretty much screened.

The board reviewed Short Form EAF and issued a Negative Declaration, to wit:

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

***BE IT RESOLVED*** the Town of Clinton Planning Board has determined that the **Barnett Site Plan for Ground Mounted SES Site Plan Approval, 15 Sodom Road Tax Grid No. 6366-00-490674** 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. Marrapodi, All Aye. Motion carried, 6-0.

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

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

***Whereas***, Andre Barnett has applied for site plan approval to install a proposed ground mounted solar energy system (SES) to be constructed on a 3.16 acre site in an AR-3 Zoning District at 15 Sodom Road, Hyde Park in the Town of Clinton, parcel number **6366-00-490674-0000**, site plan prepared by Suncommon/Lea Springstead, dated Jan. 4, 2019; and

***Whereas***, the applicants seek to install a 19.62 (DC) kW, 1052 sq. ft. ground mounted SES, as described in the submitted drawing, and which will service the residence on the referenced parcel; and

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*Whereas*, Section 250-49A of the Town of Clinton Zoning Law provides that an applicant must submit for Planning Board review and approval a proposed site plan prior to installation of a ground mounted SES; and

*Whereas* applicant has submitted a site plan showing the SES conforms to the minimum required setbacks in the Town of Clinton Zoning Law, and

*Whereas*, the Planning Board has concluded that, with respect to the specific facts of this application, as modified with respect to screening as described below, the public health and safety will not be threatened by the proposed action; and

*Whereas*, after due notice, a public hearing on this application was held on February 5, 2019, and additional public hearings were held at the two subsequent meetings of the Planning Board; and

*Whereas*, a completed Short Form Environmental Assessment Form has been submitted, the Planning Board has declared itself lead agency for this unlisted, uncoordinated action and the Planning Board, after due consideration, the Planning Board has issued a negative declaration on March. 5, 2019, and SES units are otherwise in compliance with the requirements of the Town of Clinton Zoning Law and the Town of Clinton Master Plan; and

*Whereas*, applicant has offered to provide screening and the Planning Board has determined that in light of the fact that the proposed SES is at the minimum required distance for front and side setbacks and will be visible from both Sodom Road and the adjoining properties, the following minimum screening will be required: not less than 19 Colorado Blue Spruce trees, planted as shown in the submitted proposed site map and in any event not less than 8 feet tall at time of planting; and

*Whereas*, applicants shall be required to obtain a building permit prior to construction and to comply with all applicable building and fire codes;

*Therefore, Be It Resolved*, that the Planning Board hereby grants approval of the proposed Site Plan, conditioned upon the submission of a revised site plan showing the screening requirements described above and upon

Seconded by Ms. Ruzicka.

**Discussion.** Mr. Thomas suggested that the plantings should not be less than 8 feet. Ms. Springstead noted that the site plan indicates that the trees will be 8 feet tall at the time of planting.

All Aye, Motion carried, 6-0.

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**BOARD DISCUSSION:**

Elizabeth Axelson, Town Planner, was present for the discussion about the proposed Events Moratorium.

The board welcomed Ms. Axelson as a new Town Planner. Ms. Axelson discussed her views about wedding events, conference centers, and other gathering events that are becoming epidemic. She also cited the law that the Town of Hyde Park adopted to give the board some background about the law.

After a very lengthy discussion and exchange of comments, the board agreed to send a memo to the Town Board requesting a 6-month moratorium until such time that a law is formulated.

The board motioned to have a moratorium.

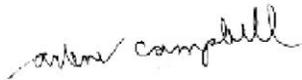
**APPROVAL OF MINUTES:**

Mr. Dolan motioned to approve the minutes of February 19, 2019, seconded by Mr. Marrapodi, All Aye, motion carried, 6-0.

**ADJOURNMENT:**

Mr. Dolan motioned to adjourn the meeting at 9:15 pm, seconded by Mr. Thomas, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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