

**TOWN OF CLINTON
PLANNING BOARD REPORT
TOWN BOARD MEETING
August 13, 2019**

July 16, 2019 PB Meeting

Maggio Area Variance - 61 Schoolhouse Road, Tax Grid No. 6467-00-062470

The property owner requests an area variance to Sec. 250 Attachment 2 of the Town of Zoning Regulations (Area Bulk and Regulations) for a rear yard setback reduction from 75 to 35 feet for placement of a shed.

- The property is in the AR3 Zoning District.
- This property is surrounded by woods on all sides. The house and the accessory structures are not visible from the road or any neighboring properties.
- Granting the variance will correct the violations on the property. Note that the shed was already built without a building permit.
- Received a positive recommendations to the Zoning Board of Appeals.

Devereaux Special Permit for Bed & Breakfast (aka Dewitt's House) – 18 Hollow Road, Tax Grid. 6267-00-227660

The property owner wishes to operate a Bed and Breakfast in an existing home.

- This is a 9.83 acre property in a Residential Hamlet 1 Zoning District.
- The house that was built in 1776 is currently renovated due to an extensive fire damage.
- The applicant proposes to use three bedrooms for bed and breakfast. Total number of bedrooms in this house is five. The new property owners underscored that they are not changing the character of the house.

- The applicant is in the process of Board of Health approval to correct the existing violation on the property.
- The board declared themselves as lead agency for the SEQRA purposes. SEQRA needs to be circulated.
- Public hearing is set for August 20, 2019.
- Sign Permit is also required for this proposal.
- No other action taken.

Meadowbrook 20 Lot Cluster Subdivision (Discussion) – 191 E Meadowbrook Road, Tax Grid No. 6367-00-841554

Applicant wishes to subdivide a 92 acre parcel to 20-buildable lots. It will be a cluster development.

- This property is consists of two parcels (80 and 12 acres) in an AR3 Zoning District.
- The applicant who is a prospective buyer appeared before the board for discussion regarding the cluster subdivision.
- The board advised the applicant to seek professional help regarding the proposed layouts. How many lots are feasible, etc.
- Will need sketch plans for conventional and cluster plan. Escrow is also required for the involvement of the Town Consultants.
- No action taken.

August 6, 2019 PB Meeting

Oyen Area Variances - 12 Fourth Avenue, Tax Grid No. 6469-10-284628.

The applicants are seeking the following area variances to build an addition to an existing house to house an elderly relative.

Sec. 250 Attachment 2 of the Zoning Regulations

- Side yard setback reduction – 50' to 8'
- Side yard setback reduction - 50' to 21.5'
- Front yard setback reduction – 100' to 40'
- Building Coverage from 7% total of 275 sq feet to 1,118 square feet.

- This is a pre-existing nonconforming property in a C Zoning district.

- The pending litigation about the purchase of next door neighbor's house to house her mother triggers the construction of an addition that requires variances.

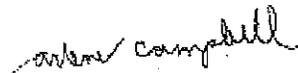
- Received positive recommendation to the Zoning Board of Appeals.

Daniels Special Permit for an Accessory Dwelling - 78 Germond Road, Tax Grid No. 6567-00-255054

Applicant seeks site plan and special permit approval to allow a one bedroom apartment above a detached garage.

- This is a 10.83 acre lot in an AR5 A Zoning District.
- The board declared itself lead agency.
- Public hearing is set for August 20, 2019.
- No other taken.

Prepared by:



Arlene Campbell
Building, Planning and Zoning Board of Appeals Clerk

Cc: Eliot Werner, Liaison Officer

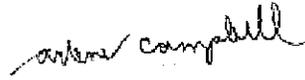
**TOWN OF CLINTON
ZONING BOARD OF APPEALS MEETING
MONTHLY REPORT
TB meeting August 13, 2019**

Maggio Area Variance - property on 61 Schoolhouse Road, **tax grid #132400-6467-00-062470**.

The applicant is seeking an area variance to Section 250 Attachment 2 for a rear yard setback reduction from 75' to 35' to allow construction of a 16' x 16' accessory structure on a 4.77-acre lot in an AR3 Zoning District.

- It was noted that the proposed structure was already constructed. The applicant was before the board to correct the violations on the property.
- The house and the other structures are not visible from the road or any neighboring properties.
- The property is mostly steep slopes and adherence to setbacks would force the building to be on a slope.
- Requested area variance is granted with conditions.

Submitted by:



Arlene A. Campbell
Zoning Board of Appeals Clerk

Cc: Eliot Werner, Liaison Officer

CAC Report
August 13, 2019 Town Board Meeting

The Conservation Advisory Committee last met on July 10, 2019.

- Members of the CAC have now held two educational programs for children attending the summer camp at Fran Mark Park.
- The CAC has begun building a webpage dedicated to their efforts in the Climate Smart Community program. The page is in its infancy and will be grow over time. It can be found on the town website, under the community tab.

Report prepared by
Michael Whitton

**Recreation Department
Town Of Clinton
August 2019**

ACTIVITIES:

Next year we will do a chemical weed control as we did in the past. We have tried to pull weeds but is very difficult. The drought has not helped as we are not getting any water movement in the pond and the pond is very low.

Need to get a structure or something for a lifeguard station other than umbrella or 10x10 canopy (EZ-UP).

This is the last week of camp. Will sit down with camp director and see how we can improve for next year. Overall camp was a success.

Attendance as follows:

1st week – 20 campers

2nd week – 15+ campers

3rd week – 16 campers

4th week – 16 campers

Need to agree on what we may want to submit for a grant.

Starting next year's budget.

Miscellaneous:

Pavilion Fee's:

\$150 for resident

\$250 non resident

\$350 organization

\$700 Commercial Rental

Park is open every day until Labor Day.

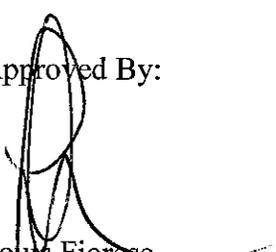
Town of Clinton Building Department
July 2019 Monthly Report
Town Board Meeting 8-13-19

Number of Building Permits Issued	8
Number of CO & CC issued	13
Number of Title Search	8
Total Number of Mileage by the Building Inspector	<u>315 miles</u>
Total Cost of Construction	<u><u>\$ 151,520.00</u></u>

Prepared By:

Arlene Campbell
PB, ZBA, BD Clerk

Approved By:


Louis Fiorese
Building Inspector

Permit Report By Type

07/01/2019 - 07/31/2019

Permit Type: All

Permit Type:	Permit #	Applicant	Location	SBL#	Issued	Valuation	Fee Amount
Deck/Porch	BP-2019-6930	Innis Fall Farm LLC	2404 Salt Point Tpke	6566-02-	07/18/2019	\$1,000.00	\$0.00
	Deck/Porch Total: 1						\$1,000.00
Electrical Service	BP-2019-6929	Carol Pugh	39 Hickory Hill Rd	6566-00-	07/15/2019	\$1,500.00	\$115.00
	Electrical Service Total: 1						\$1,500.00
Farm Structures	BP-2019-6926	Spooky Hollow Properties LLC	304 Clinton Ave	6366-00-	07/09/2019	\$10,000.00	\$150.80
	BP-2019-6927	Spooky Hollow Properties LLC	304 Clinton Ave	6366-00-	07/09/2019	\$8,000.00	\$132.60
Farm Structures Total: 2						\$18,000.00	\$283.40
Oil Tank	BP-2019-6931	Lynne Meloccaro	315 Hollow Rd	6267-00-	07/24/2019	\$8,830.00	\$115.00
	BP-2019-6933	John Kinney	11 Friends Vw	6566-00-	07/25/2019	\$2,200.00	\$115.00
Oil Tank Total: 2						\$11,030.00	\$230.00
Renovation	BP-2019-6928	Alison Aldrich	206-210 Nine Partners Rd	6468-00-	07/15/2019	\$19,990.00	\$140.00
	BP-2019-6932	Marsha Zipser	18 Hollow Rd	6267-00-	07/25/2019	\$100,000.00	\$0.00
Renovation Total: 2						\$119,990.00	\$140.00
Amount Totals:						8	\$151,520.00
Permit Grand Total:						8	\$151,520.00
Amount Grand Totals:						8	\$768.40

BP-2018-6787 6468-05-130792-0000 CO 5560 Suzana Apfelbaum 77 Camp Dr 07/30/2019

Permit # SBL Completion Type Completion Number Applicant Location Deck/Porch # of CC/CO : Issued : 1
 BP-2018-6841 6366-00-092516-0000 CO 5556 Penny Putnam 318 E Fallkill Rd 07/11/2019

Permit # SBL Completion Type Completion Number Applicant Location Renovation # of CC/CO : Issued : 1
 BP-2018-6860 6469-00-394322-0000 CC 1457 Chirag Patel 1511 Centre Rd 07/02/2019

Permit # SBL Completion Type Completion Number Applicant Location In Ground Pool # of CC/CO : Issued : 1
 BP-2019-6898 6267-00-480576-0000 CO 5558 Karolina Woloszyn 150 E Cookingham Dr 07/18/2019

Permit # SBL Completion Type Completion Number Applicant Location Residential Alteration # of CC/CO : Issued : 1
 BP-2019-6899 6367-00-392531-0000 CC 1459 Eric Gonchar 9 E Meadowbrook Ln 07/17/2019

Permit # SBL Completion Type Completion Number Applicant Location HVAC # of CC/CO : Issued : 1
 BP-2019-6905 6467-00-234264-0000 CC 1461 Ibrahim Vazquez 16 Sunset Trl 07/23/2019

Generator # of CC/CO : Issued : 1
 Grand Total: 13

Completion Issued Report

07/01/2019 - 07/31/2019
 Contact Type: Applicant

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
285	6568-00-054986-0000	CO	5555	Joseph Fariello	133 Longview Rd	07/02/2019
New Residential # of CC/CO : Issued : 1						
498	6568-00-054986-0000	CO	5554	Theresa Fariello	133 Longview Rd	07/02/2019
Residential Addition # of CC/CO : Issued : 1						
BP-2011-5784	6566-02-550709-0000	CC	1460	Innis Fail Farm LLC	2404 Salt Point Tpke	07/18/2019
Demolition # of CC/CO : Issued : 1						
BP-2017-6709	6466-00-830993-0000	CO	5553	George Lally & Francis Rodriguez	44 Woodlands Trl	07/02/2019
New Residential # of CC/CO : Issued : 1						
BP-2017-6711	6468-00-871646-0000	CC	1458	Allison Dye	206-210 Nine Partners Rd	07/09/2019
HVAC # of CC/CO : Issued : 1						
BP-2018-6775	6567-00-061862-0000	CO	5557	Paul Thomas	63 Willow Ln	07/16/2019
Residential Addition # of CC/CO : Issued : 1						
BP-2018-6785	6268-00-982855-0000	CO	5559	Rick Vidal	430 Schultz Hill Rd	07/18/2019
Residential Alteration # of CC/CO : Issued : 1						
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date

August 1, 2019

TO: TOWN BOARD

FROM: Robert Marrapodi
Zoning Administrator

SUBJECT: July 2019 ZONING ADMINISTRATORS REPORT

REVIEW OF PERMITS

The Zoning Administrator has reviewed eight (8) building permits. These permits regarded types such as, Pool, Demolition, generators, Sheds, residential alterations and new residential construction.

FALLKILL ROAD (Adolphsen)

My inspection of the property revealed that property owner has removed and relocated a significant portion of the debris on his property. I submitted a final list of items to be dealt with to the Court. The town attorney requested a 30-day adjournment of the trial scheduled for Aug. 1st.

83 DEER RIDGE DRIVE

The Puchar's have submitted a complaint on the Bishops property. The complaint dated July 8th regarding smoke, fumes and odors allegedly emanating from the Bishops property. I reviewed our office's file and investigated the complaint. My review indicates that the Puchar's have submitted multiple complaints regarding identical conduct emanating from the Bishops property. In the findings and decision, the ZBA upheld my predecessor's determination and held that the conduct at issue was not a violation of the Town Code.

272 SCHULTZ HILL ROAD

In response to Ms. Gales complaint of noise coming from a wood processing operation across the road from her house. I directed the Beahan's to limit the hours of operation and to erect a stockade fence as a visual and sound barrier to the operations as well as eliminating the use of a chainsaw. The Beahan's complied with these directives. It has been further proposed that the wood splitting/cutting operations be moved off their property to mitigate Ms. Gales complaint. The Beahan's will comply and move the operation off their property.

92 DEER RIDGE DRIVE & 84 DEER RIDGE DRIVE

A complaint was submitted on 3/26/19 from Mrs. & Mr. Puchar regarding various zoning code violations on the properties of 92 Deer Ridge Drive. Progress has been made by the Bishop's in removing the violations. The debris has been removed except for a snow plow. A storage shed has been relocated out of the front/side yard setback.

An additional complaint was verbally communicated to the Zoning office of distracting exterior lighting shining on the road and other properties.

I visited the property at 9:30 PM and viewed two lanterns on either side of the front door and two lanterns on either side of the garage door at a lower level. I did not find the lighting a distraction as I drove passed the property. This matter is ongoing.

83 DEER RIDGE DRIVE

A complaint was submitted on 3/27/19 from Ms. Bishop regarding various zoning code violations on the property of 83 Deer Ridge Drive (Punchar).

The complaint stated that several accessory structures without permits/variances on the Punchar's property. In addition the complaint states that many animals are kept and caged on the premises and they are concerned about manure storage near a fresh water pond on the property and the burial of animals polluting the water to their well.

I contacted Kimberly Punchar to discuss the complaint violations and requested permission to visit her property. The request was denied. I sent her a copy of an open building permit for a pole barn built on the property in 1975. Mrs. Punchar replied in an email on 5/1/19 stated in short that her property is an operating farm and is exempt from the town zoning ordinance.

I referred the open building permit violation to the Building Inspector. The violation was removed; the original structure was an agricultural building and did not require a building permit.

Ms. Punchar delivered to the zoning office on 6/4/19 a receipt for the sale of a pony in the amount of \$1250. She feels that this revenue proves that she is fact a Farm as defined by the Town of Clinton Code and she is exempt from the zoning laws.

I asked for permission to inspect her property to determine the agriculture business and she denied me access. This matter is on going and has been referred to the town attorney.

193 SHADBLOW LANE

A notice of violation was mailed to the property owner, Mrs. D'Attore on April 1, 2019. This property is in violation of town zoning pertaining to vehicles that are unregistered and not in operating condition. She was ordered to remedy the violation and bring the property into compliance. This violation is pending further follow up. I was giving the property owner 30 days before I revisited the violation. The Violation is still open.

1076 HOLLOW ROAD

A complaint was called in regarding junk cars in the front yard. I visited the property on 5/16 and viewed 3 unregistered junk vehicles. A notice of violation was mailed to the property owner. They were given 30 days to remove the vehicles that are in violation. The violation still exists.

302 PUMPKIN LANE

A neighbor emailed in a complaint that stated that the horse farm across the road was storing manure in a dumpster located in the front yard setback. I visited the property to confirm violation, spoke to the owners of the farm and they agreed to move the dumpster

to area away from the front of the property. I visited the property a second time and emailed the property owners. They claim they are still trying to find a spot for the dumpster. The violation is open. A final notice of violation was issued.

68 NAYLOR ROAD

The Dutchess (Formerly Old Stone Farm) is advertising a "Secret Hotel and restaurant" business on their property. This business use is not permitted in the AR5 zoning district. The properties special use permit is for a Conference Center/Dude ranch only. An email was sent on May 15th. To the owners of the property notifying them that they are not allowed to run a hotel/restaurant and must stop advertising as one. I haven't received a response to my email and the advertising continues online and in local publications. A cease and desist order was issued after consulting the Town attorney. They were given two week to remove the website advertising the Hotel/Restaurant services and stop taking reservations. This matter has been remedied. The website advertising was rewritten and the Hotel/Restaurant operation has be stopped.

384 MOUNTAIN VIEW ROAD

I received a complaint on 6/10/19 at my office from a neighbor stating violations of illegal dog breeding, illegal apartment and accessory structures too close to the property lines. A notice of violations was issued on this property Oct. 17, 2018.

I have inspected the property with owner and addressed the violations. The owner is in process of coming into compliance. The structure in the front yard has been relocated to the back yard. The building inspector is following up on the illegal apartment and building permits.

This matter is still open.

826 HOLLOW ROAD

A notice of violations was sent to the property owner on May 8, 2019. Mr. Rosen came into the zoning office on 6/5/19. He has been cleaning up the property and needs more time to complete the work. I visited the property and a considerable amount of cleanup was completed. The removal of vehicles continues.

817 HOLLOW ROAD

A notice of violations was sent to the property owner and a notice was posted on the tenants door. The Absentee owner has not responded. They are in violation of the Property Maintenance Code and Section 250-64 outdoor storage or parking of recreational or commercial vehicles. This matter will be referred to the town attorney.

1250 CENTRE ROAD

A complaint was received on July 30, 2019. A neighbor claims that the property is being used as a contractor's storage of equipment. The property owner is planning on building a storage building to store his equipment and vehicles. I inspected the property and viewed one backhoe parked at the rear of the property.

150 EAST COOKINGHAM DRIVE

A complaint was received on July 30th. A neighbor was notifying the Town that a Day Care Center was in operation in a single-family home.

I investigated the matter and found that the property owner was licensed to operate a "Group Family Day Care Home" and under the Town code a Special Use Permit wasn't required.

160 SCHULTZ HILL ROAD

A complaint was submitted by Mr. & Mrs. Hart against the property owner Scott Hues for several alleged zoning violations and disruptive and dangerous behavior.

The matter will be investigated.

AREA VARIANCES

Two area Variances was reviewed.

END OF REPORT

Robert Marrapodi, August 1, 2019
Zoning Administrator



Highway Report
For
August 2019 meeting

- Speed Radar sign is active and currently placed on County roads in the Town of Clinton and will be used on our Town Roads
- Cleaned up fallen trees from windstorm 7/29
- Grader Patch Pumpkin Lane, Electronic Lane to Spruce Lane
- Tree Work with Shared Service Bucket Truck: Hibernia Rd, Heritage Rd, and Schultzville Rd
- Two Trucks to Rhinebeck for Oil and Stone (shared service)
- New 2019 F350 4x4 truck is on order.
- Dirt patch is ongoing

Library Report
July 9, 2019 Town Board Meeting

The Library Trustees met on August 12.

Carol Bancroft was announced as the new Library Director and she has been settling in over the last few weeks. On behalf of the town, I would like to thank Teresa McGuirk for her service to the library over the last several years. We also wish Carol Bancroft well in her new role.

Matt Pfisterer, President of the library Board of Trustees, is here tonight to give an update on library activities and events. I will let him speak for the library at the public comment section of this meeting.

Report prepared by
Michael Whitton

Altice Report
July 9, 2019 Town Board Meeting

There has been no communication from Altice this month, aside from an item on the agenda this evening. Nothing else to report at this time.

Report prepared by
Michael Whitton

WIC Report
August 13, 2019 Town Board Meeting

The Wappinger Creek Watershed Inter-municipal Council met on July 26. There are two items of note:

- A resolution was passed supporting requests made by non-profit community groups, member municipalities and Dutchess County to drinking or clean water infrastructure projects within Wappinger Creek Watershed which mitigate point source and non-point source pollution, or protect or improve drinking water sources and distribution infrastructure.
- The Wappinger Creek Nine Element Plan is still coming along. There will be more public hearings scheduled for October. The exact dates have not been announced yet. I will keep the community updated as I get more information.

Report prepared by
Michael Whitton