

**TOWN OF CLINTON  
PLANNING BOARD REPORT  
TOWN BOARD MEETING  
March 10, 2020**

**February 18, 2020 PB Meeting**

**Malloy (Edition Farm) Variance - 73-79 Spooky Hollow Road, Tax Grid No. 6366-00-582554.**

The applicants are requesting the following area variances to the Town of Clinton Zoning Regulations to permit a construction of a 94' x 96' one story pole barn to replace the two barns that were damage by fire.

**Sec. 250 Attachment 2**

- Front setback reduction from 100 feet to 16 feet
- Side yard setback reduction from 50 feet to 35 feet
  
- The applicants wish to construct a 94' x 96' one story open sided Pole Barn 16 feet to the road.
- The proposed site is an existing paddock thereby preventing tree clearing.
- Note the two big old barns across the street that burned down last year.
- Though the requested variance is substantial (front yard setback reduction) , the placement of the new structure will fit right in with the existing barns.

Received a positive recommendation to the Zoning Board of Appeals.

**Smithyman Site Plan and Special Permit (continuance)- 5 Lake Drive, Tax Grid No. 6368-00-752443.**

Applicant proposes to convert the existing garage to an accessory dwelling.

- This a 10.65 acre parcel in the C Zoning District.
- The property owner wishes to convert the existing 736 square feet building into an accessory dwelling for family use purposes.

- Public hearing was open and closed.
- As indicated, requested area variances were granted by the Zoning Board of Appeals in December 2019.
- Negative Declaration was issued for SEQRA purposes.
- Site Plan and Special Permit approvals are granted.

**Levitt Lot Line Adjustment** – 155 Walnut Lane, Tax Grid No. 6367-00-752443 and 331304.

The applicants wish to move the lot lines of the two properties they own.

- The two lots consist of one on the north side with a small 0.16 acre piece across the road on the south side (Parcel B – 5.48 ac.) and one on the south side of Walnut Lane (Parcel A – 10 ac.).
- The intent of this action is to adjust the lot lines between the two lots so that the 0.16 ac. parcel abutting to the Levitt's house property would become part of this parcel making Parcel A – 10.16 acres and Parcel B – 5.32 acres.
- Requested lot line adjustment is granted.

**Rhodes Site Plan and Special Permit** (Amendment of SP) for an Accessory Dwelling – 600 Clinton Hollow 6467-00-125140.

Applicant proposes an accessory apartment over an existing garage.

- The application was back before the board to address the letter that was received from the neighbor due to oversight.
- The board re-opened the matter for the purpose of discussion and review of the Zeuner's letter.
- The Zeuner letter objects to the use of the accessory dwelling as STR. The letter also asked to require renewal of Special permit every 5 years or at the change of ownership. Another issue raised by the Zeuner is about the use of the space as accessory dwelling or two family dwelling home.
- The board issued a resolution to approve the site plan and special permit application.

### **March 3, 2020 PB Meeting**

#### **Metcalfe Demo Plan - 225 Shadblow Lane, Tax Grid No. 6568-00-227858**

Applicant wishes to demolish the primary dwelling on this property.

- The Metcalfs own the 3-acre abutting parcel to the south of the property.
- The home to be demolished was a 28' x 60' modular home built in 1994.
- The subject home does not have any designation of significance as confirmed by National Register of Historic Places in Dutchess County New York.
- The property owners wish to grow vegetables on the property and with intention of no rebuilding. Proposed future use is to have just vacant land and be able to grow vegetables.
- Demolition Plan Approval is granted.

#### **OTHER MATTERS:**

The board along with its liaison officer discussed the proposed Short Term Rental Local Laws.

Prepared by:



Arlene Campbell  
Building, Planning and Zoning Board of Appeals Clerk

Cc: Dean Michael, Liaison Officer

**TOWN OF CLINTON  
ZONING BOARD OF APPEALS MEETING  
MONTHLY REPORT  
TB meeting March 10, 2020**

**February ZBA Meeting**

**Malloy (Edition Farm) Area Variance** - 73-79 Spooky Hollow Road, Tax Grid No. 6366-00-582554.

The applicants are requesting the following area variances to the Town of Clinton Zoning Regulations to permit a construction of a 94' x 96' one story pole barn to replace the two barns that were damage by fire.

**Sec. 250 Attachment 2**

- Front setback reduction from 100 feet to 16 feet
- Side yard setback reduction from 50 feet to 35 feet
  
- This is a 62.86-acre working farm in an AR5 Zoning District.
  
- The proposed pole barn is to replace the two structures across the street that burned down last year.
  
- The applicant wishes to locate the barn to the existing paddock to avoid substantial grading and tree clearing.
  
- Although there is an alternative area to locate the proposed barn, the applicant wants to utilize the proximity of the farm structures nearby with regards to the birthing horses.
  
- Many agricultural buildings in the town are closer to the road.
  
- Requested variances are granted.

**Punchar's Interpretation** re: Smith's indoor burning affecting her health – properties located on Deer Ridge Drive.

Applicants seeking an interpretation of the Town of Clinton Code Sec. 250-28 (E) & (J) and reversing the current Zoning Administrator's determination dated 12-30-19.

February ZBA report to TB Meeting 3-10-2020

The Punchars submitted numerous complaints about the Smith's (93 Deer Ridge Drive) smoke's, fumes, and odors created by an indoor fire exit the residential chimney and crossed onto the Punchars' property.

The Punchars stated that the burning occurred on Nov. 16, 17, 18, 20, 23, 24, 26, 29 30 and December 1 and 2, 2019.

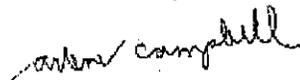
Note that the applicants also submitted an application a year ago to reverse the previous ZA's determination about the other neighboring property owners (the Bishops) regarding the outdoor burning.

In that application, the ZBA has determined per ZBA meeting in June 27, 2019 that the conduct alleged by the applicants did not constitute a violation of the Town Code.

The board had a lengthy discussion whether the application on hand is substantially similar to the previous application. If the motion failed then the board would treat the application as a new item and go through the normal procedures that include opening the public hearing.

The board finds the application on hand substantially similar to the previous application. The only notable difference being that the source of the smoke, fumes and odors now emanates from inside a building.  
6 Aye-1 Nay, Motion passed.

Submitted by:



Arlene A. Campbell  
Zoning Board of Appeals Clerk

Cc: Dean Michael, Board Liaison Officer

Conservation Advisory Committee Report  
March 10, 2020 Town Board Meeting

The Conservation Advisory Committee met on February 12. Jeff Domanski of Hudson Valley Community Power was in attendance to discuss Community Choice Aggregation. The town has been accepted into the program, and we are on track to join an already established CCA on May 1<sup>st</sup>. This will be discussed later in this meeting.

The CAC continues to develop their webpage regarding the Climate Smart Communities Program

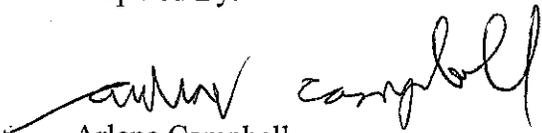
The annual CAC/EMC roundtable event was held on February 25 at the Farm and Home Center. Barbara Mansell was unable to attend, and I filled in for her, along with Marian Thompson and Maya Goer-Palanzuela. I presented the Town report that Barbara created. This is always a good event, where all of the Dutchess County CAC's can see what other towns are working on, and share ideas and initiatives.

Report prepared by  
Michael Whitton

Town of Clinton Building Department  
February 2020 Monthly Report  
Town Board Meeting 3-10-2020

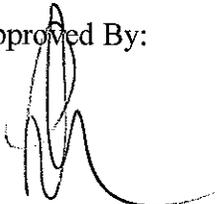
Number of Building Permits Issued	9
Number of CO & CC issued	10
Number of Title Search	9
Total Number of Mileage by the Building Inspector	<u>167 miles</u>
Total Cost of Construction	<u><u>\$ 688,846.71</u></u>

Prepared By:



Arlene Campbell  
PB, ZBA, BD Clerk

Approved By:



Louis Fiorese  
Building Inspector

# Permit Report By Type

02/01/2020 - 02/28/2020

Permit Type: All

**Permit Type:**

Permit #	Applicant	Location	SBL#	Issued	Valuation	Fee Amount
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<b>Garage - Detached</b>						
BP-2020-7023	William and Kathleen Flood	6 Maple Ln	6468-00-	02/04/2020	\$50,000.00	\$483.00
					<b>Garage - Detached Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>\$50,000.00 \$483.00</b>

<b>Hot Tub</b>						
BP-2020-7027	Thomas Foulger & Virginia Harper	43 W Cookingham Dr	6267-00-	02/24/2020	\$1,871.71	\$100.00
					<b>Hot Tub Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>\$1,871.71 \$100.00</b>

<b>Oil Tank</b>						
BP-2020-7029	Ross Enochs	75 Camp Dr	6468-05-	02/26/2020	\$8,675.00	\$115.00
					<b>Oil Tank Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>\$8,675.00 \$115.00</b>

<b>Renovation</b>						
BP-2020-7024	Anderson Educational	368 Allen Rd	6466-00-	02/05/2020	\$14,000.00	\$122.00
					<b>Renovation Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>\$14,000.00 \$122.00</b>

<b>Residential Addition</b>						
BP-2020-7025	James Metcalfe	359 Nine Partners Rd	6568-00-	02/20/2020	\$585,000.00	\$782.00
					<b>Residential Addition Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>\$585,000.00 \$782.00</b>

<b>Residential Alteration</b>						
BP-2020-7028	429 Lake Dr LLC	429 Lake Dr	6469-00-	02/26/2020	\$250.00	\$150.00
BP-2020-7030	Donald Osterdorff	81 Mountain View Rd	6368-00-	02/26/2020	\$50.00	\$150.00
					<b>Residential Alteration Total:</b>	<b>2</b>
					<b>Amount Totals:</b>	<b>\$300.00 \$300.00</b>

<b>Roof Mounted Solar ES</b>						
BP-2020-7031	Richard Lehmann	41 Schoolhouse Rd	6467-00-	02/26/2020	\$9,000.00	\$150.00
					<b>Roof Mounted Solar ES Total:</b>	<b>1</b>
					<b>Amount Totals:</b>	<b>\$9,000.00 \$150.00</b>

**Permit Type:**

Permit #	Applicant	Location	SBI #	Issued	Valuation	Fee Amount
BP-2020-7026	Steven Carroll	438 Clinton Corners Rd	6566-02-	02/20/2020	\$20,000.00	\$788.40
<b>Wood Stove</b>						
<b>Wood Stove Total:</b>					<u>1</u>	
<b>Amount Totals:</b>					<u>\$20,000.00</u>	<u>\$788.40</u>
<b>Permit Grand Total:</b>					<u>9</u>	
<b>Amount Grand Totals:</b>					<u>\$688,846.71</u>	<u>\$2,840.40</u>

# Completion Issued Report

02/01/2020 - 02/29/2020  
 Contact Type: Applicant

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
165	6366-00-290418-0000	Closed Out Certificate	165	Gilmore Joyce	332-340 Ruskey Ln	02/19/2020
465	6366-00-290418-0000	Closed Out Certificate	5597	Gilmore Joyce	332-340 Ruskey Ln	02/19/2020
					Barn/Shed # of CC/CO : Issued : <u>2</u>	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2011-5861	6469-10-376683-0000	CC	1519	Gelleita & Donald Bartles	41 Bartles Lndg	02/03/2020
					Above Ground Pool # of CC/CO : Issued : <u>1</u>	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2015-6338	6568-00-230824-0000	CC	1520	James and Lisa Metcalfe	359 Nine Partners Rd	02/13/2020
					Demolition # of CC/CO : Issued : <u>1</u>	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2015-6347	6568-00-230824-0000	CC	1521	James and Lisa Metcalfe	359 Nine Partners Rd	02/19/2020
					Deck/Porch # of CC/CO : Issued : <u>1</u>	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2018-6719	6469-00-124434-0000	CO	5595	Michelle Kwiat Siegel	429 Lake Dr	02/11/2020
					Residential Alteration # of CC/CO : Issued : <u>1</u>	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2019-6921	6467-00-125140-0000	CO	5598	Teri Rhodes	600 Clinton Hollow Rd	02/20/2020
					Renovation # of CC/CO : Issued : <u>1</u>	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2019-6934	6466-00-462894-0000	CO	5599	Raymond Mansell	354 Allen Rd	02/26/2020

Garage/Carport - Attached # of CC/CO : Issued : 1

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2019-6977	6368-00-103811-0000	CC	1522	Savannah Guthrie	55 Mountain View Rd	02/19/2020
					Roof Mounted Solar ES # of CC/CO : Issued : 1	
BP-2020-7026	6566-02-570715-0000	CC	1523	Steven Carroll	438 Clinton Corners Rd	02/25/2020

Wood Stove # of CC/CO : Issued : 1  
Grand Total: 10

## Zoning Report for February 2020

Page 1 of 2

### Violations - Order to Remedy Initiated:

384 Mountain View – single family residential – AR5 zone

Illegal garage expansion “ORDER TO REMEDY” is issued;

Illegal Accessory Dwelling “ORDER TO REMEDY” is issued;

Yard Conditions “ORDER TO REMEDY” is issued;

Illegal Kennel operation; “ORDER TO REMEDY” previously issued;

817 Hollow – two-family residential – RH zone

Obsolete signage “ORDER TO REMEDY” is issued;

Commercial vehicle “ORDER TO REMEDY” previously issued;

83 Deer Ridge – single family residential used as a farm – AR5 zone

Open construction permit, extra sheds, animal waste; Owner denies access for inspection;

Illegal Kennel operation; “ORDER TO REMEDY” is issued;

1076 Hollow – single family residential – AR5 zone

Non-operative non-registered vehicles; “ORDER TO REMEDY” is issued;

9-11 Cedar Pl – (280) Residential: Multi-Purpose/Multi-Structure – AR3 zone

Deteriorated building; “ORDER TO REMEDY” previously issued;

373 Allen – single family residential – AR5 zone

Non-operative non-registered vehicles; “ORDER TO REMEDY” is issued;

23 S Creek – single family residential – RH zone –

Illegal commercial contractor yard; “ORDER TO REMEDY” is issued;

### Violations - Order to Remedy Pending:

319 Fiddlers Bridge - single family residential – AR5 zone

Non-operative non-registered vehicles;

227 Hollow - single family residential – RH zone

Non-operative non-registered vehicles;

Deteriorated building;

Yards with debris;

**Zoning Report for February 2020**

Continued Page 2 of 2

777 Pumpkin - (270) Residential: Mobile Home – AR5 zone

Non-operative non-registered vehicles;

Deteriorated building;

Yards with debris;

118 N Creek - (112) Agricultural: Livestock and Products: Dairy Products – AR5 zone

Operation of Assembly-Retail-Event Venue without site plan approval;

**Matters Resolved: - None**

**Building Permits reviewed - 11**

Respectfully submitted,

Louis Fiorese, Building Inspector    4March2020

## Highway Department Report for FEBRUARY, 2020

Scrap metal collection is ongoing. All residents are encouraged to drop off their unwanted metal to help fund the needs of the Highway Dept.

~~The fax restriction has become a nuisance and a request is being made to lift it. Efficient business cannot be conducted.~~

Replacement of worn out/old wooden street signs has begun. The old signs are being replaced with new wood signs that have reflective green tape.

Replacement of speed limit signs has begun. New metal DOT regulated signs will be installed

Road pitching and repair has begun using the mini excavator

Road sweeping and clean up is taking place. The new broom will be in by the end of the week.

Tree trimming is still on going when its our turn to use the shared bucket truck.

Beginning March 9th on Browning Rd between Hollow Rd and Clinton Avenue, the culvert pipe replacement and catch basin work will start.

Planning has begun for bridge replacement on Ziffelburg and Frost road. The town engineer is involved. It's on the Rhinebeck/Clinton town line so both towns will be working together.

Fire extinguishers and exit signs in the shop have been replaced and brought up to code.

All safety skill switches on town trucks will be completed by the end of this month.

Repairs have been made on the gate protecting the Highway Dept property

The Highway Department is in need of rags. If anyone has old clothes that can be turned into shop rags please drop them off. This will save the town from purchasing rags at a cost per order of \$250

Library Report  
March 10, 2020 Town Board Meeting

The Library Trustees met March 9, 2020.

- The first book sale of 2020 will take place March 12-15.
- The Ancram Opera House Storytellers will be at the library on March 21 at 6:30pm.
- Attendance at both youth and adult programming events continue to see significant increases over last years attendance.
- The library would like to remind residents that they are available to help with the 2020 census. The library has two public PC's and one laptop available for filling out your census information online.
- The current library lease is schedule to expire in May 2020. Councilman Dean Michael and myself have had one meeting with the library chair and director. We have scheduled another meeting for Wednesday, March 18, and we hope to start wrapping things up.

Report prepared by

Michael Whitton

Altice Report  
March 10, 2020 Town Board Meeting

There has been no communication from Altice this past month.

Report prepared by  
Michael Whitton

Cemetery Report  
February 11, 2020 Town Board Meeting

There were no burials since our last meeting.

Eliot has been looking at the condition of damaged stones at Pleasant Plains. Based on what it cost to repair a stone in Schultville last year, and how many are damaged at Pleasant Plains, we both estimate that it will take about \$10,000 to complete the repairs.

The cemetery accounts currently have a little over \$125,000 in them, with \$77,867 in the Pleasant Plains account. Before proceeding with the process of getting estimates for the repairs, I would like to get a sense of the board whether this expense is something we would be willing to accept, or if we should scale it down to the most pressing repairs, which may be a cheaper option.

Report prepared by

Michael Whitton

**TOWN of CLINTON**

**RECREATION REPORT**

**March 9, 2020**

Work has started on preparing the town parks for seasonal use.

Schedules and forms are available on the town website

Staff hiring is in process (Maintenance, Life Guards, Camp Staff, etc..)

**Fran Mark Park:**    playground equipment needs repairs  
                          purchase & install security equipment  
                          additional mulch/sand needed  
                          contract for permanent sign at park entrance

**Friends Park:**     replace roof on dugout  
                          repair fencing  
                          paint restrooms  
                          mulch for playground area  
                          contract for permanent sign at park entrance

**NOTE:**            Developing a three (3) year plan to improve the usability of Friends Park, addressing the wet conditions, ADA paths/equipment etc..