

The Clinton Town Board held their zoning revision meeting on this day in the Town Hall. Present were Supervisor Ray Oberly and Council people Nancy Cunningham, Dean Michael, Michael Whitton, and Eliot Werner. There were six people in the audience.

Supervisor Oberly called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

### **Councilmember Michael's Comments**

**Councilmember Michael** discussed copies of minutes and email from Opened up the meeting allowing a letter sent to the board by Justin Carroll.

**Oberly** requested that we do edits in redline. Werner said he would do it if Michael could send the changes needed. Michael will request from the Planner for the original files.

**Justin Carroll** read his email about Airbnb's and how many towns are being sued and we would be better off copying the work of other town's. Thinks it would somehow open us up to a liability because we are now going to approve this use. He also commented on using a different way of limiting it by the number of people per bedroom. Is there a way to fight the whole town?

**Oberly** said we get sued all the time just because we in the Town and we usually prevail.

**Michael** we currently don't allow it so we need to create a law or we need to shut them down.

**Werner** was interested in the comments that the Airbnb could be used as a conference center.

**Michael** read the email from Merida Wells which is attached hereto as appendix A

### **§ 250-15. The Ridgeline, Scenic and Historic Protection Overlay District Regulations**

**Michael** was concern that the change of local law 1 of 2000 was about commercial communications towers and so the map the states 2000 ft. but the code says 3000 ft. so we need to either fix the maps or change the code to match the map. Driving up the TSP you can't see beyond 500' from the road surface.

**Charlie Calhan** said the law was written when the Taconic didn't have trees possibly and agrees that people can't see 500 ft. from the pave surface.

**Russ Tompkins** agrees with Michael and said that 6000 ft. is almost a mile wide protection and said it should be 500 if anything. Also agrees with Justin on the Airbnb comments.

**Michael** made a motion to reduce to 2000 ft. **Oberly** second.

**Cynthia Koch** thinks that we should leave it because people can still go planning board as a variance. It's also part of our historic landmarks.

**Charlie Calhan** said this hasn't been an issue in the 10 years he's been on the planning board. Agree that there haven't been a lot of building in years.

**VOTE. Whitton and Werner NO, Oberly, Michael and Cunnigham YES**

**Koch** fix 2015-15 A remove single faming and in D add "Ridgeline, Scenic and Historic Protection Overlay District" is missing. In #2 Under Design add Single family back in. Under lighting 250-61A doesn't cover all the items she was concerned about.

**Michael** said we address 250-61A will be addressed when we get there.

**Koch** thinks having a secretary would be helpful in getting these items out in a timely fashion.

**Tompkins** said in page 5 of the comprehensive plan said it's required but it's not a requirement in the Town Code, it's only suggested. 250-15 said not to effect single-family homes.

**Whitton** said there is a document that zoning laws are based on the comp plans and therefore required.

**Charlie Calhan** said in D1 about SEQRA in now going to add sheds and other items that should not be. We should come up with some language that would exempt certain items like an accessory structure.

### **§ 250-15.2 Low-Density Agricultural Residential (AR3) District Regulations**

**Whitton** wording should match 250-15.1

**Tompkins** said not all the land will be C2 should be subject to and C5 should not have last sentence.

**Oberly** is concerned about grandfathering

**Werner** said we can address in the beginning of the code.

**Tompkins** said in 250-18 maybe the best area

**Charlie Calhan** said we can address it under 250-80 should change as a general statement.

### **250-15.3. Floodplain (F) Overlay District Regulations**

**Whitton** D3 should have same wording

**Oberly** are the current maps 100 hundreds or 500 hundred year maps

**Werner** said before the approving agency on #4 and #3 to match the other sections

**Whitton** and in #7 cut last sentence.

**Oberly** in number 6 the whole section would need the grandfather protection is needed.

**Michael** suggested putting NEW in number 6

**Tompkins** is concern not all uses are in the attached #2 in D2 it says it doesn't apply in the schedule use reg's with no min lot area and fix D2 within the underlying Zoning District as per **Whitton**.

### **§250-15.4 Aquifer Protection Overlay (APO) District Regulations**

**Tompkins** Delete last sentence in C#4

**Oberly** wants to know where the recharge area and where is the official zoning map? Snow disposal use from another property in c3, c5 toxic – what are the limits before a permit, added if required. C9 Petroleum storage may not be installed should add new installation.

**Tompkins** doesn't think you can stop in ground tanks based on the DEC allowing them

**Charlie Calhan** said the DEC allows but does other town ban it that we can copy?

**Werner** wants to know how we or the EPA going to know if people are complying?

**Marian Thompson** made comments on underground tanks & the companies usually get permits

### **§250-19. Minimum lot area per dwelling unit or establishment**

**Werner** we added a sentence in A that it's only for residential use

**Rich Morris** thinks it's making lots illegal

**Oberly** in C2 thinks we should be concern about the distance from well and septic and in #5 should add holding tanks

Councilmember Michael said we will discussed the sections 250-29, 250-29.1 and 250-33A at the next meeting on April 4th at 7pm.

**ADJOURNMENT**

MM Oberly, 2nd Michael that the Town Board adjourns the meeting. at 9:07 PM.

Respectfully Submitted,  
Dean Michael, Councilmember & Zoning Revision Chair

**Appendix A**

Subject: Zoning Revision comments for tonight's meeting  
From: Merida Welles

My husband Chip Holman and I are unable to attend the Zoning Revision workshop tonight and would be grateful if you could read our comments below into the record.

We have owned a house on Allen Road since 1985 and value the history and pastoral beauty of our community. We are concerned that some of the proposed zoning revisions in Chapter 250-15 reduce scenic protection, undermining our rural character and damaging our community's ecological health. Specifically,

**Chapter 250-15 The Ridgeline, Scenic, & Historic Protection Overlay District Regulations**

B 2: we believe we should maintain, not shrink, the 3000' corridor alongside the Taconic.

B 3. Again, the proposed revision weakens restrictions on light pollution which harms both residents and animals. The proposed word "should" is ambiguous and we recommend the original clear word "shall" be reinstated.

**Chapter 250-29 Accessory dwelling units**

B3 - We believe the expression "accessory dwelling unit (ADU)" should be used consistently through the paragraph.

B4 - I find this statement confusing. How about "A property owner who sublets an accessory dwelling unit (ADU) must live on the property" ?

B6- again "accessory dwelling unit (ADU)" should be used consistently and passage might be simplified to "An ADU shall be the smaller of 1000 square feet or 35% of total gross floor area; minimum size of ADU shall be 400 square feet."

Thank you in advance for raising/ considering our suggestions. Hope to make the next meeting.

Sincerely,

Merida Welles and Chip Holman