

**TOWN OF CLINTON  
PLANNING BOARD INPERSON MEETING  
FINAL MINUTES  
May 17. 2022**

**MEMBERS PRESENT**

Art DePasqua, Chairman  
Jack Auspitz  
Gerald Dolan  
Justin Carroll  
Alex Ferrini  
Paul Thomas  
Tom Bannono

**MEMBERS ABSENT**

**ALSO PRESENT**

Secretary – Arlene Campbell

Eliot Werner, Liaison Officer

Chairman DePasqua called the meeting to order at 7:32 pm.

**VARIANCE APPLICATION:**

**Patten Area Variance** – property located at 456 Browning Road, **Tax Grid No. 6366-927976.**

The applicants request the following area variances in order to construct a 48' x 32' Pole Barn.

Sec. 250 Attachment 2 District Schedule of Area and Bulk Regulations

- Front yard setback reduction from 100 feet to 85 feet.

Diane Doctorchik, applicant sister-in-law appeared for this application. She briefly explained that the Pattens wish to build a barn on the property as close to the house/driveway for convenience rather than taking down trees.

Mr. Dolan indicated the creek on the front yard. He commented that it seems that the proposed structure is within the 100 feet of the wetlands/creek.

The panel had a lengthy discussion about the application. Ms. Doctorchik stated that she can tell the Pattens about the concern. She doesn't know the answer to this question.

Mr. Dolan indicated his willingness to walk the property with the property owner to check for a more feasible site to install the barn. They might not even need a

**TOWN OF CLINTON  
PLANNING BOARD INPERSON MEETING  
FINAL MINUTES  
May 17, 2022**

variance. One of the criteria for a variance is whether there is an alternative method. This is a 14.6-acre parcel.

Ms. Doctorchik agreed to revisit his proposal.

No action taken.

**PUBLIC HEARING:**

None

**APPLICATION:**

**RE: BPR Trust Soil Erosion Special Permit – Browns Pond Road, Tax Grid No. 6268-00-969519.**

Applicant seeks special permit approval for a soil erosion and sediment control plan to build a single-family house and other improvements.

Steven Calocerinos from Calocerinos Engineering PLLC appeared and explained that this is lot 2 of Sacks approved subdivision. Due to the terrain of the lot, Mr. Calocerinos stated that they will need Special Permit for a Soil Erosion Plan and Sediment Control Plan pursuant to Sec. 250-71 of the zoning regulations.

Chairman DePasqua asked for questions and comments from the board.

Mr. Thomas stated that this property is under a trust. He asked about the trustee. Mr. Calocerinos responded that Christopher Coleman is the trustee of BPR Trust. The board agreed that a letter of authorization from Mr. Coleman needs to be submitted by the applicant.

Mr. Thomas expressed his comments. The board needs the town engineer to review this application. Given the completion of the submission, Mr. Thomas stated that the board can declare lead agency at this meeting. The board agreed to establish a \$750.00 escrow account.

After a lengthy discussion, the board declared lead agency.

Mr. Thomas motioned that the Town of Clinton Planning Board approves the following resolution, to wit:

**Whereas**, the Town of Clinton Planning Board has received an application for approval of a soil erosion and sediment control plan pursuant to Section 250-71 of the Zoning Law on behalf of Christopher Coleman, Trustee of the BPR

**TOWN OF CLINTON  
PLANNING BOARD INPERSON MEETING  
FINAL MINUTES**

**May 17, 2022**

Trust, pertaining to the construction of a proposed single family residence, including driveway, residential structures, garage, pool, sewage disposal systems and related improvements on a 13.11 acre parcel located on Browns Pond Road in the Town of Clinton, as depicted on a Site Plan and attachments dated March 20, 2022, prepared by Calocerinos Engineering, PLLC; and

**Whereas**, the subject parcel is identified as tax parcel nos. 132400-6268-00-969519 and is located in the AR-5 Zoning District; and

**Whereas**, a Short Form EAF, Part 1, has been received; and

**Whereas**, all applicable fees have been paid; and

**Whereas**, the Planning Board has determined the proposed project is an Unlisted Action and that an uncoordinated review of the action will be undertaken.

**Now, Therefore Be It Resolved**, the Planning Board determines that the application is sufficient for purposes of commencing the selection of a Lead Agency pursuant to 6 NYCRR 617; and

**Be It Further Resolved**, that the Planning Board hereby declares its intent to assume the role of Lead Agency for this unlisted, uncoordinated action pursuant to Article 8 of the Environmental Conservation Law and Sections 617.6 (2) and (3) of 6 NYCRR Part 617 and directs that a copy of the Short Form EAF Part 1, the application and related documents be sent to the following interested agencies: NYS Department of Environmental Conservation; Dutchess County Soil and Water Conservation District; Town of Clinton Conservation Advisory Council, West Clinton Fire District and Town Highway Department; and

**Be It Further Resolved**, that the application shall be referred to the Town Engineer for review and comments and that an escrow in the amount of \$750 shall be established for this purpose.

Seconded by Mr. Auspitz.

**Discussion.** None.

All Aye, Motion carried, 7-0.

**Marrott and Gili NonHosted STR** – property owned by Morten Marott and Lan located at 869 Hollow Road, **Tax Grid No. 6467-03-070291-0000.**

Applicants seek Special Permit for the purpose of utilizing a principal residence located as a Non-Hosted Short-Term Rental pursuant to Section 250-69.1 of the Zoning Law.

**TOWN OF CLINTON  
PLANNING BOARD INPERSON MEETING  
FINAL MINUTES  
May 17, 2022**

Mr. Marrott appeared and explained his proposal. He stated that they love this house and been living here since the pandemic. He recently got a job back in city so won't be able to stay here as much as they used to. They want to rent out the house when they are not around.

Mr. Carroll asked about their contact info/property manager. Mr. Marrot responded that they were thinking about hiring Evolve who is the company that deals with AirBnB.

Mr. Carroll asked how many bedrooms is he proposing to rent. Mr. Marrott responded that this is a 3-bedroom house and they have septic tank with a capacity of 1,000 gallon tank.

Mr. Thomas asked about parking spaces. The applicant responded that there's enough spaces to park 6 cars.

The board discussed the insurance. Mr. Thomas commented that the umbrella policy does not cover the short-term rental. Mr. Carroll noted that the insurance info about the rental is on the last page of the insurance policy.

The board agreed to pass a resolution, to wit:

Mr. Carroll motioned that the Town of Clinton Planning Board approves the following, to wit:

**Whereas**, the Town of Clinton Planning Board has received an application for a Special Use Permit from Morten Marott and Lan Gili for the purpose of utilizing a principal residence located at 869 Hollow Road in the Town of Clinton as a Non-Hosted Short-Term Rental pursuant to Section 250-69.1 of the Zoning Law; and

**Whereas**, the subject property is identified as tax parcel number 132400-6467-03-070291-0000 and is located in the H Zoning District; and

**Whereas**, a Short Form EAF, Part 1, has been received; and

**Whereas**, the applicants do not propose any alteration, excavation or construction on the site in connection with the requested permit; and

**Whereas**, the applicants have submitted an inspection report, dated within ninety days of the date of the application, stating that the existing sewage disposal system serving the principal dwelling is adequately functioning for the intended use at the time of inspection; and

**Whereas**, the Zoning Administrator has inspected the property and certified that it is in compliance with the permitting requirements set forth in

**TOWN OF CLINTON  
PLANNING BOARD INPERSON MEETING  
FINAL MINUTES  
May 17, 2022**

Section 250-69.1 for the use of the parcel as a Non-Hosted Short-Term Rental within the Town of Clinton; and

**Whereas**, all applicable fees have been paid:

**Now, Therefore Be It Resolved**, that the Planning Board has determined the proposed project is a Type II action and that no further SEQRA review will be required; and

**Be It Further Resolved**, that the Planning Board directs that the application and related documents be sent to the following interested agencies: West Clinton Fire District; Town of Clinton Highway Department and Dutchess County Department of Planning and Development; and

**Be It Further Resolved**, that the Planning Board will hold a public hearing on this application at its meeting scheduled for June 7, 2021.

Seconded by Mr. Auspitz.

**Discussion.** None.

All Aye, Motion carried, 7-0.

**OTHER MATTERS:**

Mr. Dolan stated that the Shamdasani STR on 246 Clinton Ave said that the property manager provided by the property owner was located in Westchester. Needs somebody who is local.

Ms. Campbell agreed to notify the property owner.

**BOARD DISCUSSION:**

Mr. Werner joined the panel for discussion about the short term rental.

**TOWN OF CLINTON  
PLANNING BOARD INPERSON MEETING  
FINAL MINUTES  
May 17. 2022**

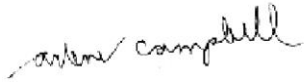
**APPROVAL OF MINUTES:**

None

**ADJOURNMENT:**

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

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Arlene Campbell".

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