

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
September 20, 2016**

MEMBERS PRESENT

Mike McCormack, Chairman
Art DePasqua

Robert Marrapodi
Paul Thomas

Secretary – Arlene Campbell

MEMBERS ABSENT

Gerald Dolan
Tracie Ruzicka

ALSO PRESENT

Eliot Werner. Liaison Officer

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

VARIANCE APPLICATION:

- None

PUBLIC HEARING:

Jan and Melanie Bonanza Site Plan for Ground Mounted SES - property on 204 Rhynders Road, **Tax Grid No. 6367-00-675871.**

The applicants are seeking Site Plan approval to allow installation of a Ground Mounted Solar Electric System.

Carlos Newcomb from Hudson Solar and the Bonanzas appeared for this application. Mr. Newcomb briefly explained their proposal. He noted that the Zoning Board of Appeals was cancelled last month due to lack of quorum. They are rescheduled before the Zoning Board of Appeals on the 22nd of this month.

Mr. DePasqua motioned to open the public hearing, seconded by Mr. Marrapodi, all Aye, Motion carried, 4-0.

One letter was received from the adjoining neighbor, Warren and Joyce Armstrong, 224 Rynders Road, who indicates no objection.

Hearing no comments from the public, the board agreed to close the public hearing. Mr. DePasqua motioned to close the public hearing, seconded by Mr. Thomas, all Aye, Motion carried, 4-0.

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APPLICATIONS:

Jan and Melanie Bonanza Site Plan for Ground Mounted SES - property on 204 Rhynders Road, **Tax Grid No. 6367-00-675871.**

The applicants are seeking Site Plan approval to allow installation of a Ground Mounted Solar Electric System.

The applicants were back before the board.

Mr. DePasqua expressed favorable comments about the proposed project. He commented that the proposed site is not visible to any of the neighboring properties.

After reviewing the Short Form EAF, the board agreed to issue a Negative Declaration.

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

BE IT RESOLVED the Town of Clinton Planning Board has determined that the Bonanza Site Plan to install ground mounted solar electric system, **Tax Grid #132400-6367-00-675871** on property located 204 Rhynders Road 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.

Discussion: None.

All Aye, Motion carried, 4-0

After all the reviews and discussions were made, the board agreed to pass another resolution.

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

BE IT RESOLVED, that the Town of Clinton Planning Board grants conditional approval of a Site Plan to allow installation a Ground Mounted Solar Electrical System at the back of the property to **Jan and Melanie Bonanza** on a 3.25 acre parcel located at 204 Rhynders Rd, Staatsburg NY, **Tax Grid No. 6367-00-675871** in an AR 3 Zoning District.

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WHEREAS:

1) The applicant wishes to install a Ground Mounted Solar Electrical System at the back of the property. It consists of 30 LG 285 W modules and one SolarEdge SE7600A-US-U grid-tie inverter, mounted on a Schletter FS racking system. The mounting is a post driven system facing south with 2 rows of 15 modules in portrait. The array is positioned on the east side of the shed, behind the house and not visible from the road or any neighboring property.

2) The property is not in an Agricultural District.

3) The Town of Clinton Planning Board declared itself Lead Agency on 08/16/2016 for this unlisted, uncoordinated action. Appropriate referrals to the interested agencies have been made.

4) In accordance with Section 250-96B(3) of the Town of Clinton Zoning Law, a Public Hearing was held on 9/20/2016.

5) A SEQRA review of this unlisted, uncoordinated action has resulted in a negative declaration being prepared and declared in accordance with the New York State Environmental Quality Review Act on 9/20/2016.

6) This application conforms with the provisions of Section 250-96 of the Town of Clinton Zoning Law pertaining to "Site Plan". The site plan has been prepared by Engineer Jeff Irish lic #081499 dated 07/21/16.

7) With the granting of the area variance by the Zoning Board of Appeals, this application conforms with the provisions of Section 250-49 of the Town of Clinton Zoning Law pertaining to "Solar arrays".

8) There is a letter of authorization on file for Hudson Solar to act on behalf of the applicant.

9) All appropriate fees have been paid.

NOW, THEREFORE, BE IT RESOLVED, the Town of Clinton Planning Board grants conditional approval of the requested Site Plan when the following condition is met:

- That the requested variances are granted by the Zoning Board of Appeals.

Seconded by Mr. Marrapodi.

Discussion. Mr. Marrapodi stated that the resolution should state Site Plan approval instead of Special Permit. The board agreed.

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All Aye, Motion carried 4-0.

Zipser and Vacchione/Kronn Lot Line Adjustment – properties located at 18 Hollow Road and 43 Creek Road, **Tax Grid Nos. 6267-00-227660 & 247628.**

The Zipsers wish to convey 2.07 acres of lands to the Vacchione/Kronns.

Marie Welch, Land Surveyor, appeared on behalf of the applicants. She explained that the neighboring property owners asked the Zipsers to buy a portion of their lands. The Zipsers own ± 11 acres of lands while the Vacchione/Kronns own ± 1.3 acres. These properties are in the RH1 Zoning District.

Chairman McCormack asked for questions and comments.

Mr. DePasqua indicated the items that are missing on the map such as Owners' signature Block and Zoning District. The Vacchione/Kronn property also needs to be labeled on the map. Mr. DePasqua suggested identifying the lot lines on the map using solid and broken lines to show before and after the conveyance. Ms. Welch agreed to revise the map.

Chairman McCormack asked if the letters of authorization from the property owners were on file. Ms. Welch responded, "Yes."

Mr. DePasqua indicated the letter of request about the waiver. The board agreed to waive the requested items.

Mr. DePasqua motioned the following resolution, to wit:

BE IT RESOLVED that the Town of Clinton Planning Board grants conditional approval for a Lot Line Adjustment of the lands owned by **Marsha Zipser**, 18 Hollow Road, Tax Grid No. 132400-6267-00-227660-00 and **Anthony Vacchione/David Kronn**, 43 Creek Road, Tax Grid No. 132400-6267-00-247628-00 for the purpose of transferring ± 2.07 acres from Zipser to Vacchione/Kronn.

WHEREAS:

- 1) The intent of this action is to transfer ± 2.07 acres from the lands of Zipser (Parcel A) to the lands of Vacchione/Kronn.
- 2) Zipser property is being reduced by ± 2.07 acres, from ± 11.90 acres to ± 9.83 acres. The Vacchione/Kronn property is being increased by ± 2.07 acres, from ± 1.3 to ± 3.37 acres).
- 3) Delta chart with the changes in acreage is included on the map provided by Marie Welch, License No. 49698, dated August 18, 2016.

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- 4) No nonconforming lots are created by this action.
- 5) Waivers sought by the applicants in Marie Welch's letter dated August 18, 2016 were approved by the Planning Board on September 20, 2016.
- 6) Per the ZEO there are no known zoning violations on the property.
- 7) Lands under consideration have not been granted a special permit or other permit that would be void as a result of this action.
- 8) Since a lot line adjustment is a Type II action under SEQRA, no further review is required.
- 9) All fees have been paid.
- 10) Properties are not in a CEA or Scenic, Ridgeline, or Historic Protection Overlay District.

NOW THEREFORE, BE IT RESOLVED, the requested Lot Line Adjustment is granted approval when the following conditions are met:

The map should be revised as follows.

- a. Owners' signatures should be included.
- b. Vacchione/Kronn property should be labeled.
- c. Zipser property before the transfer should be indicated by a solid line. Lands being transferred should be indicated by a broken line (-----).
- d. Zoning District should be included.

Seconded by Mr. Thomas.

Discussion. None.

All Aye, Motion carried 4-0.

Trask and Carbonaro/Wolf Lot Line Adjustment - properties located at 20 Fiddlers Bridge Road, 247 & 267 Hollow Road, **Tax Grid Nos. 6267-00-735330, 763380 & 790345**

Applicants wish take portions of a lot and combine these portions to their lots.

Ms. Trask and the Carbonaro/Wolfs appeared for this proposal. Ms. Trask explained that the Carbonaro/Wolfs want to buy a portion of the 247 Hollow Road lot and combine this land to their residential lot. The rest of the lands will be combined to their property on Fiddlers Bridge Road.

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Ms. Carbonaro stated that the current lot is owned by the Trasks. She pointed out to the map how the lot lines are going to move. She noted that the land surveyor will have to fix the area map.

The board reviewed and discussed the application. Mr. Marrapodi stated that there are three lots involved and one lot is being eliminated. This will not create a new lot.

Mr. Marrapodi stated that the metes and bounds should be shown on the map. The board agreed to include this as a condition.

The board passed a resolution.

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

BE IT RESOLVED that the Town of Clinton Planning Board grant conditional approval for a Lot Line Adjustment of the lands owned by **Graham Trask/Cranberry Farms LLC**, located at 247 Hollow Road, tax grid #6270-00-735330 (Parcel A), lands owned by **Joan Carbonaro and Laura Wolf**, located at 267 Hollow Road, tax grid #6267-00-790345 (Parcel B), and lands owned by Cranberry Farms LLC, located at 20 Fiddlers Bridge Road, tax grid # 6267-00-763380 (Parcel C).

WHEREAS:

- 1) The intent of this action is to transfer land among the three properties as shown on the Lot Line Adjustment plat created by John Decker LS, NYS license #050572, dated 8-20-16.
- 2) As a result of the transfer of properties, the lands of tax grid # 6267-00-763380 (Cranberry Farms) will increase in size from 3.9 acres to 6.2 acres; the lands of tax grid # 6267-00-790345 (Carbonaro/Wolf) will increase in size from 8.88 acres to 11.45 acres. The lands of tax grid # 6270-00-735330 (Cranberry Farms LLC) will no longer exist as a separate parcel of land.
- 3) Since a lot line adjustment is a Type II action under SEQRA, no further SEQRA review is required.
- 4) The proposed lot line adjustment does not create a substandard lot.
- 5) The properties are not located in the Ridgeline, Scenic, and Historic Protection Overlay district.
- 6) The applicants' Lot Line Adjustment plat has met all the requirements of the Town of Clinton's Subdivision and Lot Line Adjustment Regulations.

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- 7) All required letters of authorization to represent any or all property owners are on file.
- 8) The lands involved are not in an Ag District or within 500 ft of a farm in an Ag district therefore an Ag data statement is not required.
- 9) The properties involved are in the Pleasant Plains CEA and therefore must conform to the Town of Clinton Town Board resolution of 12/11/02.
- 10) The properties are not in a designated wetland.
- 11) The site is on a Clinton Scenic/Historic road, that being Hollow Road and therefore must conform to Local Law # 3 of 2001
- 8) All appropriate fees have been paid.

NOW THEREFORE, BE IT RESOLVED, the Lot Line Alterations are granted conditionally by the Town of Clinton Planning Board when the following condition is met:

- The metes and bounds for the new boundary line be added to the survey map.

Second by Mr. DePasqua, all Aye, Motion carried 4-0.

APPROVAL OF MINUTES:

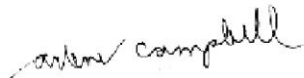
Mr. DePasqua motioned to approve the minutes of August 2, 2016 as amended, seconded by Mr. Thomas, all Aye, Motion carried, 4-0.

Mr. DePasqua motioned to approve the minutes of May 3, 2016 as amended, seconded by Mr. Marrapodi, all Aye, Motion carried, 4-0.

ADJOURNMENT:

Mr. Thomas motioned to adjourn the meeting at 8:58 pm, seconded by Mr. DePasqua, All Aye, Motion carried, 4-0.

Respectfully Submitted,



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