

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
March 20, 2018**

**MEMBERS PRESENT**

Art DePasqua, Chairman  
Jack Auspitz  
Gerald Dolan  
Robert Marrapodi  
Tracie Ruzicka  
Paul Thomas

**MEMBERS ABSENT**

**ALSO PRESENT**

Secretary – Arlene Campbell

Eliot Werner, Liaison Officer

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

**VARIANCE APPLICATION:**

None

**APPLICATIONS:**

**Mahoney Site Plan and Special Permit for an Accessory Dwelling** – property owned by Deborah and Michael Mahoney located at 27 Shadblow Lane, **Tax Grid No. 6469-00-906258**

Applicants request Site Plan and Special Permit Approval to construct a guest cottage/garage.

Robert Nielsen from RA Nielsen Contracting Co., and Jimmy Crisp and Joe Maledo from Crisp Architects, all appeared for this application.

Mr. Crisp stated that this is a 25-acre property in an AR5 Zoning District. They are proposing a guest cottage to be sited behind the main house, slightly to the right and into an existing hill. This is a two-story building that will include 3-bay-garage.

Mr. Maledo indicated the variance granted by the Zoning Board of Appeals dated August 24, 2017. They received an area variance of 437 square feet over the allowed 1,000 square feet maximum per Sec. 250-29 B-6 of the Town of Clinton Zoning Law. They were originally proposing a cottage with 1,437 square feet of habitable space. Since the Zoning Board of Appeals meeting, Mr. Maledo explained that the habitable space has been reduced to 1,290 square feet with a total gross floor space of 3,000 square feet. The original proposal was to construct a guesthouse with a total floor space of 3,187 square feet with 1,552 square feet of habitable space. A new septic and well will be constructed

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onsite to support the guest cottage. They are currently working with the Department of Health about the septic approval.

Chairman DePasqua asked for questions and comments from the board. Mr. Thomas asked about the size of the guest cottage. Mr. Maledo responded that the Zoning Board of Appeals has ruled that the second floor is the only habitable space in this building. They reduced the size of the habitable space to 1,290 square feet.

Mr. Marrapodi asked what's on the first floor. Mr. Maledo responded that first floor consists of a mudroom, storage, and the garage.

Mr. Auspitz asked about the proposed use of this cottage. Mr. Crisp responded that the intention right now is to house the mother-in-law. This will be used for extended family or caretaker. He underscored that there are no plans of renting out this cottage.

Mr. Malido indicated the question at the ZBA meeting whether this property is in the Agricultural District. He noted that this property is not in the Agricultural District per the Assessor's office.

Mr. Auspitz asked about the wetlands on the property. Mr. Malido responded that there is a pond and a stream on the property but the proposed location of the cottage is beyond 100 feet.

The board discussed the application. Mr. Auspitz commented that the proposed building will not be visible from the road nor any neighboring properties.

The board agreed to declare lead agency.

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

***BE IT RESOLVED THAT THE*** Town of Clinton Planning Board hereby declares its intention to be the lead agency for review of the project pursuant to Sections 617.6(2) and 3 of 6 NYCRR 617, in the matter of a special permit for a proposed guest cottage/garage for the Mahoney property, **tax grid #132400-6469-00-906258-0000**, located at 27 Shadblow Ln, in the Town of Clinton for this unlisted and uncoordinated action.

***BE IT FURTHER RESOLVED*** that the Planning Board hereby directs that copies of the Special Permit Application, and the Site Plan be sent to the following agencies, together with a notice seeking the consent of these agencies to the Planning Board assuming lead agency status:

**INVOLVED AGENCIES:**

Dutchess County Board of Health  
East Clinton Fire District

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INTERESTED

Town of Clinton Scenic and Historic Roads Committee  
Dutchess County Department of Planning & Development

Seconded by Ms. Ruzicka.

**Discussion.** Mr. Thomas feels that this action should be unlisted, uncoordinated action. The board agreed.

All Aye, Motion carried, 6-0.

Public hearing is set to April 17, 2018.

**Wolcott 3-Lot subdivision** (Sketch Plan Approval) – 205 E. Fallkill Road, **Tax Grid No. 6266-00-819678.**

The property owner wishes to subdivide a 38.75-acre parcel into three buildable lots.

Mr. Wolcott was back before the board. He recapped what had transpired at the previous meeting. Lot width was adjusted to reflect the 400 feet width per the zoning regulations.

Mr. Wolcott stated that he consulted with the Zoning Administrator and Mr. Marrapodi about the revised layout of the lots. The contours of the lands are shown on the map. Based on their calculation, the slopes where the proposed driveway is are just under 10%. He underscored that the Department of Health will not review the septic design without conceptual approval from the Town.

Mr. Marrapodi edified the applicant about the approval process. The board can approve the sketch plan but they need to see the septic design and driveway profile for Lots 2 and 3 for Preliminary Approval.

Mr. Thomas indicated the requirements checklist on the application form to guide the applicant about the items needed on the map. A letter of request is required for any items that need to be waived.

Ms. Ruzicka asked about the wetlands on the property. It seems that there's a big portion of the land that are wetlands.

Mr. Marrapodi stated that these are not designated wetlands. He underscored that Lot 1 is not being developed since there is already a house on this lot.

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Ms. Campbell pulled up the property from Parcel Access showing the DEC and Federal wetlands on the property.

Mr. Thomas stated that the wetlands need to be depicted on the map. Ms. Ruzicka reiterated that the board needs to see the septic design and driveway locations on the preliminary plat.

The board agreed to pass a resolution, to wit:

Mr. Marrapodi motioned to approve sketch plan, seconded by Mr. Thomas:

Mr. Marrapodi motioned that the Town of Clinton Planning Board grant sketch plan approval to **Albert and Barbara Wolcott** for subdividing lands on a ±39.6-acre site located at 205 East Fallkill Road, which is in an AR-5 Zoning District in the Town of Clinton, **tax grid #132400-6266-00-819678**.

**WHEREAS:**

- 1) The applicant is requesting a three (3) lot subdivision as shown on the plat created by John H. Decker L.S, 292 Fraleigh Lane, Red Hook, New York, dated January 19, 2018. Revised on 3/5/18
- 2) The acreage after the subdivision will be +/-21.35 acres for the lot #1(Lot 1) and +/-6.24 acres for the lot #2 (Lot #2) and +/-12.00 acres for the lot #3 (Lot 3).
- 3) The applicant has submitted a Short Form EAF. A Long Form EAF may be required.
- 4) The Town of Clinton Planning Board has not declared itself lead agency for this **Unlisted/** uncoordinated action. Involved agencies are Dutchess County Board of Health and Town of Clinton Highway Department. Interested agencies are Town of Clinton CAC, Dutchess County Department of Planning, Town of Clinton Scenic and Historic Roads Committee, East Clinton Fire Department.
- 5) The applicant have been advised that they will need approval from the Town of Clinton Highway Superintendent for the placement of two (2) new driveways for lot #2 and lot #3 on to E. Fallkill Road
- 6) All appropriate fees have been paid.

***NOW, THEREFORE, BE IT RESOLVED***, the Town of Clinton Planning Board grants sketch plan approval for the requested subdivision of lands.

The following items shall be included in the preliminary subdivision plat to be submitted for view at the next planning board meeting:

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- Relevant check list items listed for preliminary subdivision map.
- Wavier requested in writing for any checklist items not relevant to your project.
- New driveway profile for Lots 2&3. Proving constructability.
- Denote State and Federal wetland locations.
- Denote SDS locations for Lots 2&3.

Seconded by Mr. Thomas.

**Discussion.** The board discussed whether this application needs a Long Form or Short Form EAF. Mr. DePasqua suggested consulting the Town Planner about the question.

The board agreed to indicate Long Form or Short Form EAF on the resolution depending on determination of the Town Planner.

Ms. Ruzicka questioned the conditional approval. She commented that since this is a conditional approval, then all the conditions have to be met before Preliminary approval.

Mr. Marrapodi asked, “How will the applicant know what items are needed for Preliminary approval?” The board agreed that these conditions should be in the “Whereas” section.

The board discussed and agreed the Involved and Interested Agencies for this Unlisted and Uncoordinated Action as indicated on the above resolution.

All Aye, Motion carried, 6-0.

Mr. Marrapodi motioned to establish \$1,000 escrow account, seconded by Mr. Auspitz, all Aye, Motion carried, 6-0.

Need to check with the Town Planner whether Short or Long Form EAF is required.  
No other action taken.

**Long Pond (Omega) Campground Annual Permit Renewal – 150 Lake Drive, Tax Grid No. 6468-00-0382842**

The applicant wishes to renew their Annual Permit to operate a campground.

Mr. Dolan noted that there are no changes on the number of sites per the ZEO.

The board agreed to renew the permit.

***BE IT RESOLVED THAT THE*** Town of Clinton Planning Board approves the following with regard to the application for annual renewal of a special permit for the

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operation of Long Pond Campground, 150 Lake Drive, tax grid #132400-6468-00-032842-00.

**WHEREAS:**

1. 1) The subject campground is regulated by a Deed Agreement of Covenants and Restrictions and Stipulation of Settlement recorded in the Dutchess County Clerk's office on 1/24/1991. That agreement was between CVH Charter Corp. and the Town of Clinton.
2. All applicable fees have been paid.
3. The Zoning Administrator has inspected the site and confirms, by memo to the Planning Board dated March 19, 2018, that the applicant has met the conditions outlined in the Deed Agreement of Covenants and Stipulation of Settlement and there are no known violations on the property.
4. There are 67 campsites at the campground. All camping trailers are duly licensed.
5. 5) There is no change in the number of sites
6. 6) A current site plan is on file with the Town of Clinton Zoning Office.
7. The applicant has installed number identification signs for each site.
8. Long Pond Campground has a Dutchess County Health Department approval to operate the campground, for the period from April 30, 2018 to April 30, 2019.

***NOW THEREFORE, BE IT RESOLVED***, the Planning Board recommends the issuance of the annual renewal of an operating permit and requests the Town Clerk to issue such renewal permit for the period from April 30, 2018 to April 30, 2019

Seconded by Mr. Auspitz.

**Discussion.** None.

All Aye, Motion carried 6-0.

**BOARD DISCUSSION:**

The chairman of the board discussed the enforcement of a strict timeline regarding the submission of applications to get on the agenda. The board agreed.

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**APPROVAL OF MINUTES:**

No minutes approved.

**ADJOURNMENT:**

Mr. Dolan motioned to adjourn the meeting at 8:40 pm, seconded by Mr. Thomas, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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