

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
September 17, 2019**

**MEMBERS PRESENT**

Art DePasqua, Chairman  
Gerald Dolan  
Jack Auspitz  
Justin Carroll  
Sara Love  
Paul Thomas

**MEMBERS ABSENT**

Tracie Ruzicka  
**ALSO PRESENT**  
Eliot Werner, Liaison Officer

Secretary – Arlene Campbell

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

**VARIANCE APPLICATION:**

**None**

**APPLICATION:**

**Oyen Wetlands/Water Law Permit** - 12 Fourth Avenue, Tax Grid No. 6469-10-284628.

The applicant is seeking Wetlands/Water Law Permit per Sec. 250-78 of the Town of Clinton Zoning Law due to proximity of the proposed addition to Silver Lake. This property is in the C Zoning District.

Ms. Oyen was backed before the board. Variances were granted by the Zoning Board of Appeals dated August 22, 2019.

Ms. Oyen explained that the court awarded her possession of the property next door. She is currently awaiting for the eviction papers from the court.

Chairman DePasqua commented that this proposed addition might not even happen then. Ms. Oyen concurred. She's hoping to get the court documents soon.

The board agreed to review the Short Form EAF for SEQR process and passed the following resolution.

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

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Be it Resolved, that the Town of Clinton Planning Board hereby declares itself lead agency for review of the project pursuant to Sections 617.6(2) and (3) of 6 NYCRR 617, in the matter of Ulstad and Oyen Wetlands Permit Application for the purpose of construction of an addition to the primary family dwelling 78 feet from the edge of Silver Lake on a 0.09 acre site located at 12 Fourth Ave. which is in the C Zoning District in the Town of Clinton, Tax Grid #132400-6469-00-248628-0000 for 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. Carroll.

**Discussion.** None.

All Aye. Motion carried, 6-0.

After all the reviews were made, the board passed a resolution.

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

***BE IT RESOLVED*** that the Town of Clinton Planning Board grants approval of a Permit pursuant to Section 250-78 of the Zoning Law to Margaret A Oyen for the purpose of construction of an addition to the primary family dwelling 78 feet from the edge of Silver Lake on a 0.09 acre site located at 12 Fourth Ave. which is in the C Zoning District in the Town of Clinton, Tax Grid #132400-6469-00-248628-0000.

***WHEREAS:***

1. Section 250-78 of the Town of Clinton Zoning Law prohibits construction within 100 feet of a lake unless a Permit is issued by the Planning Board.
2. The Town of Clinton Planning Board declared itself Lead Agency on 09-17-19 for this unlisted, uncoordinated action. A SEQRA review was conducted and resulted in a negative declaration of significance in accordance with the New York State Environmental Quality Review Act on 09-17-19.
3. There are no known violations per the ZEO.
4. All appropriate fees have been paid.

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5. Necessary setback and lot coverage variances were conditionally approved by the ZBA on 08-22-2019. The ZBA conditioned its approval on the applicant's compliance with Section 250-10-(D-5-B) (Sewage Treatment Systems).
6. Prior to construction, the applicant will be required to obtain any necessary permits from the NY DEC and to present evidence of same to the Building Inspector.

***NOW, THEREFORE, BE IT RESOLVED***, the Town of Clinton Planning Board grants approval of the requested Permit pursuant to Section 250-78.

Seconded by Mr. Carroll.

**Discussion.** None.

All Aye, Motion carried, 6-0.

**BOARD DISCUSSION:**

Mr. Werner gave an update about the proposed Event Centers and Short Term Rentals laws.

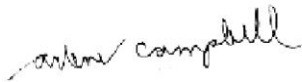
**APPROVAL OF MINUTES:**

No minutes were approved.

**ADJOURNMENT:**

Mr. Carroll motioned to adjourn the meeting at 7:58 pm, seconded by Mr. Dolan, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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