

**TOWN OF CLINTON  
PLANNING BOARD REPORT  
TOWN BOARD MEETING  
May 11, 2021**

**April 20, 2021 Meeting via Zoom**

Mahoney Area Variance – 27 Shadblow Lane, Tax Grid No. 6469-00-906258

Applicant seeks an area variance to Sec. 250-29 B-6 to increase the allowed total habitable space of the proposed accessory dwelling.

- This property is a 25 acre lot in an AR5 Zoning District.
- The proposed guest cottage will be sited to the side of the main house and into an existing hill.
- Applicant proposes a habitable space of 1,290 square feet when 1,000 square feet is allowed per Sec. 250-29 B-6. The overall square footage is 3,195 square feet. A new septic system and well will be constructed on site to support the new building.
- It was noted that this property received an area variance in August of 2017 but this variance expired before construction began.

Received positive recommendation to the Zoning Board of Appeals.

Mer-kill Area Variance – 77 Rymph Road, Tax Grid No. 6266-00-803790

Applicant seeks an area variance to Sec. 250-29 B-6 to increase the allowed total habitable space of the proposed accessory dwelling.

- The Applicant is seeking an area variance in order to convert an existing pool house into an accessory dwelling.
- The property is a flag lot on a 31.61-acre lot in an AR5 Zoning District.
- The variance requested is substantial, as the existing accessory structure's square footage of 1,859 square feet is almost double the maximum of the 1,000 square feet permitted for an accessory dwelling under Section 250-29.
- The board expressed concern about the proposed variance which is 86% of the allowed square footage and weighed against positive recommendation.
- The positive recommendation was voted down and the board agreed to do a neutral recommendation and that motion passed.

Burns and Vega Non Hosted AirBnB – 468 Lake Drive, Tax Grid No. 6469-00-200521

Applicants propose a Non-Hosted AirBnb per Sec. 250-69.1 of the Town of Clinton Zoning Regulations.

- This is a 5.08 acre parcel in the C Zoning District.
- Applicants do not propose any alteration, excavation or construction on the site in connection with the requested permit.
- An inspection report was submitted and is on file regarding the existing sewage disposal system.
- The Municipal Code Inspector had inspected the property and certified that the property is in compliance for the use of a Non-Hosted AirBnB per Sec. 250-69.1
- There was a discussion as what type of action (Type II, noncoordinated, etc) is this application in regards to SEQR.
- The board declared themselves lead agency. SEQRA needs to be circulated to the interested agencies.
- Public hearing is set on May 4, 2021.
- No other action taken.

Goldman Fowler Wetlands Permit 164 Mountain View Road, Tax Grid No. 6368-00-49686.

Applicants wishes to install a Roof Mounted SES that requires a submersible wire in a controlled area.

- This is 41.10 acre property in the AR5 Zoning District.
- The proposed action requires Wetlands Permit per Sec. 250.78 of the zoning regulations.
- The board declared themselves lead agency.
- SEQRA needs to be circulated.
- The board agreed that the Town Engineer needs to review the application.
- Escrow account was established.
- No other action was taken.

Rosenthal and Bledin Site Plan and Steep Slopes Permit – Centre Road, Tax Grid No. 6468-00-372264.

Applicants propose a new residence, carport, pool on a vacant lot on Centre Road that requires Steep Slopes approval per Sec. 250.72 of the town zoning regulations.

- This is a 17.93 acre parcel in the AR5 Zoning District.
- The applicants propose to construct a single family residence located at Centre Road (Intersection of Centre Road and Schultzville Road).
- This property have areas that are protected by the DLC.
- The board declared themselves lead agency. SEQRA needs to be circulated.
- After a long discussion, the board agreed that this project needs to be reviewed by the Town Engineer.
- An Escrow account was established.
- No other action was taken.

**May 4, 2021 Meeting via Zoom**

Burns and Vega Non Hosted AirBnB – 468 Lake Drive, Tax Grid No. 6469-00-200521

Applicants propose a NonHosted AirBnb per Sec. 250-69.1 of the Town of Clinton Zoning Regulations.

- This is a 5.08 acre parcel in the C Zoning District.
- The applicant 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 Dwelling Unit is adequately functioning for its intended use at the time of inspection.
- The applicants have stated that the Dwelling Unit will be utilized as a Non-Hosted Short-Term Rental for approximately six months per calendar year and that the minimum rental duration shall be three nights.
- The Zoning Administrator has inspected the Dwelling Unit and certified that it is in compliance with the permitting requirements of Section 250-69.1.

- The Planning Board has determined that the maximum number of Lodgers allowed shall be four persons and the maximum number of daytime visitors permitted on the property shall be four persons.
- Public hearing was opened and closed.
- Negative Declaration was issued for SEQR A purposes.

The first AirBnB application is granted. Maximum number of lodgers permitted is 4. Permit expired May 4, 2022.

Baker Demolition Plan Approval - 412-416 Hollow Road, Tax Grid No. 6367-00-069110

Applicant proposes to demolish an old barn that is dilapidated condition.

- This is a nonconforming and pre-existing 2 acre parcel in the AR3 Zoning District.
- The proposed barn to be demolished was built in 1970 and does not have any foundation.
- This barn is being demolished because it is beyond repair, having sunk into the ground such that the doors don't work and part of the roof has caved in.
- There is no historic value to this barn.
- The property owner wishes to replace this barn with a new 12' x 30' structure at another location on the property.
- Short Form EAF was reviewed and Negative Declaration was issued.

Requested demolition was granted.

Lack and Winokur Soil Erosion Permit (continuance) - 157 Coyote Ridge Road, Tax Grid Nos. 6268-00-662090 & 625110.

The applicants wish to construct a common driveway, residential structures, a pool and sewage disposal systems on the above two parcels.

- Per the last meeting, the Town Engineer will review this application.
- The board reviewed and discussed the comments from the Town Engineer and agreed to get a sign off on the map from Mr. Setaro before an action be taken.
- Driveway maintenance agreement also needs to be reviewed by the Town Attorney.
- No action taken.

Gorelik Special Permit for an Accessory Dwelling – 423 Clinton Hollow Road,  
Tax Grid No. 6466-00-001667.

The property owners wish to legalize the 400 square feet existing cottage  
To be used as AirBnb.

- This is a 6.5 acre parcel in the AR3 Zoning District.
- The applicant is also proposing to do NonHosted AirBnB for the main dwelling on this property.
- It was noted that the cottage received a variance in the past to house the property owner's mother with a condition that this variance expires when the property changes ownership.
- Per the applicant, he is still trying to get hold of the Department of Health in regards to the board of health approval of this property.

After a lengthy discussion, the board agreed that they cannot move forward with the special permit for the accessory dwelling till the issue about the septic system is addressed. No action taken.

Kross 3 Lot Subdivision – 1403 Centre Road, Tax Grid No. 6467-00-476009

Applicants wishes to subdivide a 61.01 acre parcel into 3 lots. Lot 1 – 28.36 acres, Lot 2 – 16.32 acres and Lot 3 – 16.33 acres.

- This property is in the AR3 and C Zoning District.
- The project site is largely classified as rural residential that contains agricultural, forest and wetland areas.
- The board did an initial review of the application and agreed that the map needs to show building envelopes along with its setbacks. The proposed driveway also needs to be signed off by the County.
- Applicant needs to talk to the zoning administrator regarding the proposed three lots.

No action taken.

Verizon Cell Tower Special Permit – 90 Germond Road, Tax Grid No. 6567-00-209058

Applicant wishes to upgrade the existing telecommunication in the Town of Clinton by providing fourth generation (4G) broadband and other wireless telecommunications services.

- It was noted that the Special Permit issued for this existing facility that was issued in 2003 expired. Applicant needs to re-start the process of the approvals. Last renewal was made in 2010.
- The board exchanged opinions and discussed about the collection of all the fees due for the past decade.
- Escrow account was established.
- Also need to check whether the restoration and removal bond are still in place.
- No action taken.

Prepared by:



Arlene Campbell  
Building, Planning and Zoning Board of Appeals Clerk

Cc: Dean Michael, Liaison Officer

**TOWN OF CLINTON  
ZONING BOARD OF APPEALS MEETING  
MONTHLY REPORT  
TB meeting June 8, 2021**

**May 27, 2021 Virtual ZBA Meeting**

**Joe and Diane Eramo - 586 Clinton Hollow Road, Tax Grid No. 6462-00-124105**

The applicants request an area variance to Section 250 Attachment 2 (District Schedule of Area and Bulk Regulations) of the Town of Clinton Zoning Regulations for a side yard setback reduction from 50 feet to 27 feet in order to construct a new 20' x 28' Deck

- The property is a non-conforming 2.4-acre lot in an AR-3 district.
- The applicant wishes to construct a 20 foot by 28 foot raised deck on the side of an existing garage that was built after a variance was issued for the garage in May of 2019.
- Although the request is substantial, almost 50%, the lot is narrow with the home and garage already in place.
- The new deck construction is to assist in building an outside staircase to provide access to the second story of the garage as internal space limitations make an internal staircase impractical.

Requested area variance was granted with conditions.

**Edition Farm (Malloy) Variance - property located at 73-79 Spooky Hollow Road, Tax Grid No. 6366-00-582554.**

The applicants are requesting the following area variances to the Town of Clinton Zoning Regulations to permit a construction of a 72' x 100" addition to a one-story pole barn.

**Sec. 250 Attachment 2**

- Front setback reduction from 100 feet to 50'.8"
- Front setback reduction from 100 feet to 52"

- This is a parcel is a 62.86 acre working farm in an AR5 Zone;
- The applicants wish to construct an extension to a Pole Barn for farming purposes.
- The adjoining area is an existing paddock so no clearing or substantial grading will be required;
- It was noted that many farm buildings in the town are closer to the road.

The board agreed to approve a front yard setback reduction to 45 feet instead of the requested 50 and 52 feet variance to ensure enough front yard space for the proposed pole barn extension.

**Mer-Kill LLC - 77 Rymph Road, Tax Grid No. 6266-00-803790.**

The applicant requests an area variance to Sec. 250-29B-6 to increase the allowed habitable space (1,000 square feet) in order to convert a 1,859-square feet existing structure to an accessory dwelling.

- This is a 31.61-acre flag lot in an AR3 Zoning District.
- Public hearing was opened and remained opened.
- The matter was adjourned to June 24, 2021 per the applicant's lawyer request. They need more time to prep their proposal.

No action taken.

**Deborah and Michael Mahoney - 27 Shadblow Lane, tax grid number 6469-00-906258-0000.**

The applicants are requesting an area variance to Sec. 250-29 B-6 of the Town of Clinton Zoning Regulations to allow the construction of an accessory dwelling space of 1,437 sq. ft. on the second story of a 3,195 sq. ft. building on the property.

- This is a 25-acre parcel in the AR5 Zone District.
- Noted that a previous variance was granted in 2017 and expired before construction began and so applicants are restarting the process.



- The applicants intend to build a 3,195-gross square foot accessory structure for storage, garaging vehicles, and an accessory dwelling unit.
- Out 3,195-square feet gross space, only 1,290-square feet is habitable when 1,000-square feet is allowed by the zoning regulations. A variance of 290 square feet is requested.
- The variance of 29% is substantial, but is less than the 43.7% previously approved in 2017.
- Applicant asked to modify the condition of the original variance as they felt that maintaining 15 acres of land with an accessory dwelling is punitive in the AR5 Zoning District.
- The board agreed to modify the condition to maintain the two dwellings to a minimum of 10 acres instead of 15 acres. The proposed accessory dwelling is smaller in size than the original proposal in 2017.

Requested variance approved with conditions.

**Christopher Mao & John Tancock - 313 Allen Road, Tax Grid No. 6466-00-310713.**

The applicants are seeking dismissal of violations/order to remedy and Interpretations of the following sections of the codes per the Zoning Administrator's letter dated January 26, 2021:

Sec. 250.91 – Failure to obtain building permit for connecting two structures.

Sec. 250-105 – Accessory structure exceeding the allowable square footage.

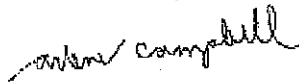
Sec. 250 Attachment 1:2 – Art Gallery is not a permitted use in the AR5 Zoning District.

- This property is 47.81-acre property in the AR5 Zoning District.
- It was noted that this property received a violation letter back in 2011 regarding construction without building permit and use, consolidation of two larger buildings without building permit and use of the building as an art gallery.
- Another violation letter was issued in 4-18-2019 regarding the same violation

- The applicant's lawyer appealed to the Zoning Board of Appeals in relation to the violation on the property.
- Numerous letters from the surrounding neighbors indicating no evidence about the use of the building as commercial art gallery in the recent years.
- The board agreed that the two buildings that were connected together need a building permit and a variance for the size and the height. This violation needs to be corrected.

After a very lengthy discussion, the board agreed that the use of building is just for display of the owner's art collection for viewing for themselves and their guests and without any commercial activity. It is not a Commercial Art Gallery.

Submitted by:



Arlene A. Campbell  
Zoning Board of Appeals Clerk

cc: Dean Michael, Board Liaison Officer

Conservation Advisory Committee Report  
June 8, 2021 Town Board Meeting

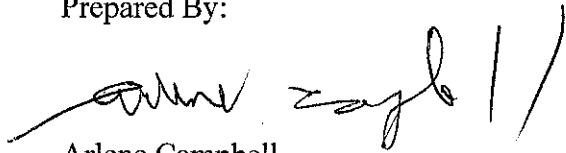
The CAC did not meet in May 2021 due to lack of a quorum.

Report prepared by  
Michael Whitton, Councilmember

Town of Clinton Building Department  
May 2021 Monthly Report  
Town Board Meeting 6-08-2021

Number of Building Permits Issued	21
Number of CO & CC issued	12
Number of Title Search	11
Total Number of Mileage by the Building Inspector	<u>240</u> miles
Total Cost of Construction	<u><u>\$ 1,988,752.18</u></u>

Prepared By:



Arlene Campbell  
PB, ZBA, BD Clerk

Approved By:



Michael Cosenza  
Building Inspector

# Completion Issued Report

05/01/2021 - 06/01/2021  
 Contact Type: Applicant

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
320	6367-00-964230-0000	CO	5675	William Smith	564 Browning Rd	05/20/2021
					Garage - Detached # of CC/CO : Issued : <u>1</u>	
BP-2018-6851	6467-00-219224-0000	CC	1633	Nicole Augstein	8 Sunset Trl	05/10/2021
					Oil Tank # of CC/CO : Issued : <u>1</u>	
BP-2019-6989	6469-00-196903-0000	CO	5677	William Metzger	William Metzger 617 Slate Quarry Road	05/24/2021
					Barn/Shed # of CC/CO : Issued : <u>1</u>	
BP-2020-7133	6468-00-114980-0000	CO	5674	Susan Edwards	249 Long Pond Rd	05/17/2021
					New Residential # of CC/CO : Issued : <u>1</u>	
BP-2020-7191	6367-00-533069-0000	CC	1639	Edmund Matuk	24 Walnut Ln	05/26/2021
					Electrical Service # of CC/CO : Issued : <u>1</u>	
BP-2021-7215	6469-00-196903-0000	CO	5678	William Metzger	William Metzger 617 Slate Quarry Road	05/26/2021
					Storage/Utility Building # of CC/CO : Issued : <u>1</u>	
BP-2021-7229	6566-00-257242-0000	CC	1632	Jeffrey Zacharia	1556 Hollow Rd	05/06/2021
					Demolition Permit # of CC/CO : Issued : <u>1</u>	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date

BP-2021-7257 6368-00-420418-0000 CC 1634 Richard D'Andrea 110 Schultz Hill Rd 05/17/2021  
 Renovation # of CC/CO : Issued : 1

Permit # SBL Completion Type Completion Number Applicant Location Completion Date  
 BP-2021-7268 6367-00-274417-0000 CC 1631 Michael Babcock 143 W Meadowbrook Ln 05/05/2021  
 Hot Tub # of CC/CO : Issued : 1

Permit # SBL Completion Type Completion Number Applicant Location Completion Date  
 BP-2021-7272 6567-00-290950-0000 CC 1635 Heather Ogborn 169 Willow Ln 05/18/2021  
 Generator # of CC/CO : Issued : 1

Permit # SBL Completion Type Completion Number Applicant Location Completion Date  
 BP-2021-7275 6469-00-820364-0000 CC 1638 Drew Bancroft 955 Pumpkin Ln 05/24/2021  
 Electrical Service # of CC/CO : Issued : 1

Permit # SBL Completion Type Completion Number Applicant Location Completion Date  
 BP-2021-7276 6567-00-290950-0000 CC 1636 Heather Ogborn 169 Willow Ln 05/18/2021  
 Hot Tub # of CC/CO : Issued : 1

Grand Total: 12

# Permit Report By Type

05/01/2021 - 05/31/2021

Permit Type: All

Permit Type:	Permit #	Applicant	Location	SBL #	Issued	Valuation	Fee Amount
Above Ground Pool	BP-2021-7283	Abel Calderon-Juarez	81 N Creek Rd	6267-00-	05/20/2021	\$8,281.59	\$150.00
<b>Above Ground Pool Total:</b>						<b>1</b>	
<b>Amount Totals:</b>						<b>\$8,281.59</b>	<b>\$150.00</b>
Demolition	BP-2021-7273	Margaret Baker	412-416 Hollow Rd	6367-00-	05/13/2021	\$3,500.00	\$90.00
	BP-2021-7293	William Mershon	253-269 Nine Partners Rd	6468-00-	05/27/2021	\$26,000.00	\$0.00
<b>Demolition Total:</b>						<b>2</b>	
<b>Amount Totals:</b>						<b>\$29,500.00</b>	<b>\$90.00</b>
Electrical Service	BP-2021-7275	Drew Bancroft	955 Pumpkin Ln	6469-00-	05/13/2021	\$500.00	\$90.00
<b>Electrical Service Total:</b>						<b>1</b>	
<b>Amount Totals:</b>						<b>\$500.00</b>	<b>\$90.00</b>
Garage - Detached	BP-2021-7278	Nicole Augstein	8 Sunset Trl	6467-00-	05/20/2021	\$12,900.00	\$150.00
<b>Garage - Detached Total:</b>						<b>1</b>	
<b>Amount Totals:</b>						<b>\$12,900.00</b>	<b>\$150.00</b>
Generator	BP-2021-7272	Heather Ogborn	169 Willow Ln	6567-00-	05/10/2021	\$5,000.00	\$90.00
	BP-2021-7279	Raymond Mansell	354 Allen Rd	6466-00-	05/20/2021	\$7,395.00	\$90.00
	BP-2021-7288	David Crosson	David M. Crosson 43 Forever Ivy Ln	6266-00-	05/20/2021	\$8,500.00	\$150.00
<b>Generator Total:</b>						<b>3</b>	
<b>Amount Totals:</b>						<b>\$20,895.00</b>	<b>\$330.00</b>
Hot Tub	BP-2021-7276	Heather Ogborn	169 Willow Ln	6567-00-	05/17/2021	\$5,000.00	\$500.00
	BP-2021-7287	Louis Strippoli	96 Woodlea Rd	6466-00-	05/20/2021	\$4,000.00	\$110.00
<b>Hot Tub Total:</b>						<b>2</b>	
<b>Amount Totals:</b>						<b>\$9,000.00</b>	<b>\$610.00</b>

## HVAC

Permit Type:

Permit #	Applicant	Location	SBL#	Issued	Valuation	Fee Amount
BP-2021-7274	Peter Morrow	593 Hollow Rd	6367-00-	05/13/2021	\$21,000.00	\$115.00
BP-2021-7282	Deborah Fierro	1338 Centre Rd	6468-00-	05/20/2021	\$3,885.00	\$115.00
<b>In Ground Pool</b>					<b>HVAC Total:</b>	<b>2</b>
<b>Amount Totals:</b>					<b>\$24,885.00</b>	<b>\$230.00</b>
BP-2021-7284	Adam Rosman	110 Mountain View Rd	6368-00-	05/20/2021	\$180,000.00	\$225.00
BP-2021-7286	Louis Strippoli	96 Woodlea Rd	6466-00-	05/20/2021	\$23,000.00	\$700.00
<b>In Ground Pool Total:</b>					<b>2</b>	
<b>Amount Totals:</b>					<b>\$203,000.00</b>	<b>\$925.00</b>
<b>New Residential</b>						
BP-2021-7290	Cathy and Roy Naor	24 High View Ln	6367-00-	05/27/2021	\$476,800.00	\$2,814.00
<b>New Residential Total:</b>					<b>1</b>	
<b>Amount Totals:</b>					<b>\$476,800.00</b>	<b>\$2,814.00</b>
<b>Renovation</b>						
BP-2021-7289	Jeffrey Zacharia	1556 Hollow Rd	6566-00-	05/24/2021	\$754,120.00	\$2,838.26
BP-2021-7291	Frederick Cohen	281 Kansas Rd	6369-00-	05/27/2021	\$31,000.00	\$205.00
BP-2021-7292	Manfred Gailer	344 Slate Quarry Rd	6369-00-	05/27/2021	\$4,200.00	\$546.80
<b>Renovation Total:</b>					<b>3</b>	
<b>Amount Totals:</b>					<b>\$789,320.00</b>	<b>\$3,590.06</b>
<b>Residential Alteration</b>						
BP-2021-7281	BCDE Family LP	191-195 E Meadowbrook Ln	6367-00-	05/20/2021	\$400,000.00	\$1,900.00
<b>Residential Alteration Total:</b>					<b>1</b>	
<b>Amount Totals:</b>					<b>\$400,000.00</b>	<b>\$1,900.00</b>
<b>Storage/Utility Building</b>						
BP-2021-7277	Deborah Fierro	1338 Centre Rd	6468-00-	05/17/2021	\$10,000.00	\$243.00
BP-2021-7280	Robert Simon	772 Centre Rd	6467-00-	05/20/2021	\$3,670.59	\$195.00
<b>Storage/Utility Building Total:</b>					<b>2</b>	
<b>Amount Totals:</b>					<b>\$13,670.59</b>	<b>\$438.00</b>
<b>Permit Grand Total:</b>					<b>21</b>	
<b>Amount Grand Totals:</b>					<b>\$1,988,752.18</b>	<b>\$11,317.06</b>



Town of  
Clinton NY  
email

Carol Mackin <townclerk@townofclinton.com>

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## Zoning Report May 2021

1 message

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John Fenton <zeo@townofclinton.com>

Thu, Jun 3, 2021 at 2:24 PM

To: Arlene Campbell <pbzba@townofclinton.com>, Carol Mackin <townclerk@townofclinton.com>

Dear Board Members,

Please accept this email as my monthly activity report for May 2021;

- \* Reviewed & issued (21) Building/Zoning permit applications..
- \* Inspected / Investigated (6) Property maintenance complaints.
- \* Issued (6) Violation Notices.
- \* Inspected (4) Short-Term Rental Dwelling Units.
- \* Executed Short-Term Rental Project with Granicus.
- \* Several meetings with owners of The Dutchess (for site-plan compliance)
- \* Issued (2) Stop Work Orders.

Respectfully Submitted,

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**John J. Fenton**  
Zoning Administrator &  
Municipal Code Enforcement Officer  
Town of Clinton  
1215 Centre Road  
Rhinebeck, NY 12572  
845-266-5704 x103

# Highway Report for May, 2021

The 2021 Highway Spending 284 agreement has been submitted from the Highway Dept.

Road repairs and improvements have begun. In June, milling and paving will begin on Meadowbrook Lane. Lake Drive and Heritage Road development will also be tended to this summer.

Shared Services with the surrounding towns is in place and has allowed us to work both efficiently and with a great cost savings on these summer projects.

Dirt road repairs from winter damage is taking place.

Roadside mowing will be ongoing this season since we purchased the used mower from the County.

There has been tree and brush trimming on many roads over the last month. We had use of the bucket truck (another piece of shared equipment) to help make the trimming more accessible and safer.

The Highway Department's surplus equipment has been sold at auction and allowed for income toward discussion with replacement options.

Altice Report  
June 8, 2021 Town Board Meeting

There has been no communication with Altice since our last Town Board meeting.

Report prepared by  
Michael Whitton, Councilmember

Cemetery Report  
June 8, 2021 Town Board Meeting

We are awaiting the signed deed for sale of new gravesite at Pleasant Plains Cemetery. A second sale at Pleasant Plains and one at Schultzville are on hold.

A deed transfer for Schultzville is also on hold.

Heard from Bob Perry at Topographix with pricing for a GPR analysis at Pleasant Plains.

Contacted Beyond the Gravestone ([www.beyondthegravestone.com](http://www.beyondthegravestone.com)) in Mansfield–Storrs, Connecticut, who did stone cleaning for the Stanford Historical Society, about possibly repairing damaged stones at Pleasant Plains. Awaiting response.

Report prepared by

Michael Whitton and Eliot Werner

WIC Report  
May 11, 2021 Town Board Meeting

The Wappinger Creek Watershed Intermunicipal Council has not met since our last Town Board meeting.

Report prepared by  
Michael Whitton