

**TOWN OF CLINTON
PLANNING BOARD REPORT
TOWN BOARD MEETING
December 14, 2021**

November 16, 2021 PB Meeting

Greco Area Variance - Pumpkin Lane, Tax Grid Nos. 6468-00-705670 and 682712.

The applicants request area variances to Sec. 250-24 and 250-25B (1) to allow creation of 25-foot wide accessways with associated road frontage for revised Lots 1 and 2 in order to do Lot Line Adjustment and to allow placement of principal residences on both lots.

Sec. 250-25 (B-1) of the Zoning Law provides that “accessway to the rear lot must not be less than 40 feet wide along its entire length.....”

Sec. 250-24 states that “No lot shall be created, nor any driveway permit issued, nor any building permit issued for any structure unless the lot upon which such application is made has not less than 40 feet of frontage on and access to a public street or highway....”

- These properties are in the AR5 Zoning District.
- Applicants’ proposed lot line adjustment would split the existing accessway on Lot 2 between the two lots, resulting in new 25 foot accessways for each lot as well as road frontage of 25 feet.
- Lot 2 is a rear lot that includes a 50 foot wide accessway and frontage on Pumpkin Lane. Lot 1 does not have frontage on or access to a public street.
- Revised Lot 1 will consist of about 19.73 acres and Revised Lot 2 will consist of about 5.09 acres.

Requested variances are granted.

Fraser and VoderBrink Area Variance – 1235 Centre Road, Tax Grid No. 6468-00-417698

The applicants request an area variance to Sec. 250 Attachment 2 (District Schedule of Area and Bulk Regulations) for a Front yard setback reduction from 100 feet to 52 feet in order to construct an entryway to a home built in 1878.

- This is .898 acre lot in the AR3 Zoning District.
- The existing house, built in 1878, is already less than 100' from Centre Road. The current porch was built in 1977 and the proposed addition would add 54 sq. ft. to the porch.

Received positive recommendation to the Zoning Board of Appeals.

Kross 3 Lot subdivision (Preliminary approval) – property located 1403 Centre Road, Tax Grid No. 6469-00-476009.

Applicant proposes to subdivide a ±61.01-acre parcel into 3 residential lots. The property is in the C and AR3 Zone District.

Lot 1 – ±28.27 acres
Lot 2 – ±16.41 acres
Lot 3 – ±16.33 acres

- Comments were received from the Town Engineer, CAC and other agencies.
- The town Engineer signed off on the application and recommended to accept the preliminary and final approval site plan.
- The applicant agreed to submit a letter addressing the comments from the CAC.
- Ag Data Statement needs to be circulated.
- Public hearing is set on December 7, 2021.

No other action taken.

O'Leary 2 Lot Subdivision (Preliminary Plan Approval) - 2039-2105 Salt Point Turnpike, Tax Grid No. 6466-00-861415

Applicant wishes to subdivide a ±275.04-acre parcel into 2 lots for the purpose of selling Lot 1 containing 116.828 acres and retain Lot 2 – 159.76 acres.

- The parcel is located in the AR5 Zoning District.
- The property owner intends to continue to farm Lot 2 with no changes.
- Lot 2 shall contain the property owner's house and all farm buildings and operations.
Note that 9.768 acres of Lot 1 and all of Lot 2 are subject to a Conservation Easement held by DLC.
- Sketch Plan was approved.
- The board declared itself lead agency. SEQRA needs to be circulated.
- Ag Data Statement needs to be circulated.
- Public hearing is set on December 7, 2021.
- No other action taken.

Safriet 2 Lot subdivision – 140 Sunset Trail, Tax Grid No. 6467-00-378494.

Applicant proposes to subdivide a ±75-acre parcel into 2 lots consisting of Lot 1 – 45 acres, Lot 2 -30 acres per Sec. 206-9 of the Town Zoning Regulation.

- The parcel is located in the AR3 Zoning District.
- The dividing line between the two proposed lots would be Sunset Trail itself.
- Lot 1 contains a large house, barn, garage, and a pool with two story pool house. Lot 2 contains a 0.6 acre pond and is otherwise vacant, consisting of approximately 2/3 open field and 1/3 woodlands.
- The board declared itself lead agency for SEQRA purposes.
- SEQRA and Ag Data Statement needs to be circulated.
- Sketch Plan approval is granted.
- Public hearing is set for December 21, 2021.

December 7, 2021 In Person Meeting

Smithyman NonHosted Short Term Rental - 5 Lake Drive Tax Grid No. 6368-00-752443.

Applicants wish to utilize the guest cottage as a Nonhosted STR.

- This is a 10.65 acre parcel in the C Zone District.
- A Special Permit was granted for an accessory dwelling in 2020.
- The property owners wish to utilize this accessory dwelling as NonHosted STR.
- The Planning Board has determined that the dwelling shall be used as maximum 1 bedroom unit and number of Lodgers allowed shall be 2, and the maximum number of daytime visitors permitted on the property shall be 2.
- The applicants have fully addressed prior Town Code violation and removed the physical Tentrr structure on their property as well as the listing from the Tentrr and Airbnb websites
- Public hearing was opened and closed.
- The board reviewed the short form EAF.
- Negative Declaration was issued for SEQRA purposes.

Requested NonHosted Short Term Rental was granted and requires annual renewal by the Planning Board.

Kross 2 lot subdivision (Preliminary and Final approval) – 1403 Centre Road, Tax Grid No. 6469-00-476009.

Applicant wishes to subdivide ±61.01-acre parcel into 3 lots consisting of Lot 1 – 28.27 acres, Lot 2-16.41 acres and Lot 3 – 16.33 acres pursuant to Sec. §250-95 C Subdivision Regulations of Town of Clinton Local Law 3 of 1991 (Zoning Law).

- Public hearing was open and closed.
- Short Form was reviewed.
- Negative Declaration was issued for SEQRA purposes.
- Proposed 2 lot subdivision is granted.

O'Leary 2 Lot Subdivision (Preliminary Plan Approval) - 2039-2105 Salt Point Turnpike, Tax Grid No. 6466-00-861415

Applicant wishes to subdivide a ±275.04-acre parcel into 2 lots for the purpose of selling Lot 1 containing 116.828 acres and retain Lot 2 – 159.76 acres.

- Public hearing was open and closed.
- The board reviewed the short form EAF and issued Negative Declaration.

- Proposed 2 lot subdivision is granted.

Cornerstone of Rhinebeck Special Use Permit – 73-93 Serenity Hill Road, Tax Grid No. 6469-00-531763.

Applicant proposes Special Permit for the use of an "Alternate Care Facility" that was established prior to the adoption of the Town code to remove the violation on the property (Increase in the number of beds without proper approvals from the Town).

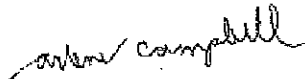
- The property is in the C Zoning district.
- Numerous property owners were present at the meeting. Note that this is not a public hearing.
- The town attorney and property owner's attorney were also present for this case.
- Per the ZEO letter dated 11-10-2021, the applicant is in violation of Sec. 250-31-B-5.
- "Alternate Care Facility" is not a permitted use in the C Zoning district. The use of this facility on this property predates the zoning. It is a nonconforming use.
- Question raised due to the increase in the number of beds from 99 beds to 131 beds without proper approvals from the Town and in violation of Sec. 250-31 (B-5).
- Applicant's Attorney argued that the facility has approvals from the State and should be preempted by OAS regulations.
- After a very lengthy discussion, the board agreed that an escrow account should be established. The Town consultants need to review the application. The applicant also needs to get a letter from the ZEO regarding his determination about the case.
- 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.
- Short Form EAF was reviewed and Negative Declaration was issued.
- DEC Permit was issued.
- The town engineer signed off on the proposed project.
- Fresh and Wetlands permit is granted.

Prepared by:



Arlene Campbell
Building, Planning and Zoning Board of Appeals Clerk

Cc: Dean Michael, Liaison Officer

Dear Board,

Please accept this email as the Zoning Report for November 2021;

- * Reviewed & Issued 17 Building Permits
- * Ordered 3 (Area Variance)
- * Closed 6 Zoning Violations
- * Inspected 4 Short-Term Rentals
- * Inspected 4 Building Inspection (Foundations)
- * Various emails & phone calls

Thank you,

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

Conservation Advisory Committee Report
December 14, 2021 Town Board Meeting

The CAC met on November 10 in the Masonic Hall.

Barbara Mansell and Jean McAvoy met to review a Planning Board Application for a subdivision located at 1403 Centre Rd., Rhinebeck.

Members who were able to attend the online presentation called *What's the Buzz: Creating Pollinator Friendly Communities*, by Cornell Cooperative Extension of Dutchess County (CCEDC) Environment & Energy thought it was very informative. The CCEDC recording of the forum was forwarded to Clinton residents via the town email.

They met again on December 8 in the Masonic Hall

Two subdivision applications were reviewed.

The CAC purchased Pollinator Pathway signs to be put up at the various gardens they have been maintaining in the community.

Report prepared by
Michael Whitton, Councilmember

Climate Smart Task Force Report
December 14, 2021 Town Board Meeting

The Climate Smart Task Force met on November 23 in the Masonic Hall and via Zoom for those that could not attend in person.

Discussion with Todd Marin of the Highway Department about long term plans to transition our smaller vehicle fleet with electric vehicles. We are interested to see how some surrounding towns make out with EV's that they are purchasing.

Planning is ongoing for a Green Fair at Fran Mark Park on May 14th. Jack Persley has been diligently working to organize presenters for the Green Fair, and it looks like it will be a busy day, with many educational and informational opportunities for residents.

The Task Force has been approached by the Pleasant Valley Task Force about teaming up with them and Hyde Park in hosting a series of Repair Cafes. Joe Phelan, Task Force Chair, will be attending a meeting with members of those two towns to work out details.

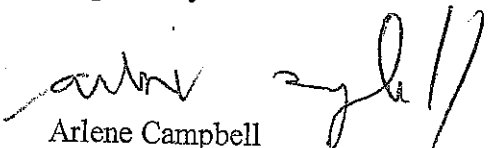
The December meeting was cancelled for the holidays. Our next meeting is scheduled for Tuesday, January 25.

Report prepared by
Michael Whitton, Councilmember

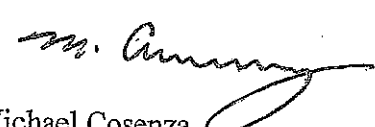
Town of Clinton Building Department
November 2021 Monthly Report
Town Board Meeting 12-14-2021

Number of Building Permits Issued	17
Number of CO & CC issued	11
Number of Title Search	9
Total Number of Mileage by the Building Inspector	<u>159 miles</u>
Total Cost of Construction	<u><u>\$ 1,918,602.00</u></u>

Prepared By:


Arlene Campbell
PB, ZBA, BD Clerk

Approved By:


Michael Cosenza
Building Inspector

Town of Clinton

Permit Report By Type

11/01/2021 - 11/30/2021
Permit Type: All

Permit Type:	Permit #	Applicant	Location	SBI #	Issued	Valuation	Fee Amount
Accessory Dwelling	BP-2021-7396	William Mershon Trustee	253-269 Nine Partners Rd	6468-00-	11/15/2021	\$1,000,000.00	\$4,080.00
						1	
						\$1,000,000.00	\$4,080.00
Barn/Shed	BP-2021-7387	Conrad Associates LP	189 Fiddlers Bridge Rd	6267-00-	11/08/2021	\$80,000.00	\$615.00
						1	
						\$80,000.00	\$615.00
Electrical Service	BP-2021-7393	Anthony and Lisa Curcio	30 Old Bulls Head Rd	6469-00-	11/15/2021	\$800.00	\$100.00
						1	
						\$800.00	\$100.00
Generator	BP-2021-7388	Kara Gelb	1007 Centre Rd	6468-00-	11/08/2021	\$11,150.00	\$100.00
	BP-2021-7390	Myron Ronis	654 Pumpkin Ln	6468-00-	11/15/2021	\$11,288.00	\$100.00
	BP-2021-7392	Squirrel Hollow LLC	Estate of W. Roger Tyszkiewicz 162 Rymph Rd	6367-00-	11/15/2021	\$10,220.00	\$100.00
	BP-2021-7397	Glenn Biery	534 Hollow Rd	6366-00-	11/15/2021	\$18,000.00	\$100.00
	BP-2021-7399	Lisa Wolfe	5 Electronic Ln	6468-00-	11/15/2021	\$10,000.00	\$100.00
						5	
						\$60,658.00	\$500.00
Hot Tub	BP-2021-7394	Richard Hack	414 Slate Quarry Rd	6369-00-	11/15/2021	\$1,300.00	\$560.00
						1	
						\$1,300.00	\$560.00
HVAC	BP-2021-7391	Wells Half Acre LLC	835 Fiddlers Bridge Rd	6468-00-	11/15/2021	\$3,190.00	\$115.00
	BP-2021-7398	Brian Moon	393 Clinton Hollow Rd	6466-00-	11/15/2021	\$8,904.00	\$115.00
	BP-2021-7401	Stanley Cooke	57-67 Woodlea Rd	6466-00-	11/24/2021	\$13,600.00	\$125.00
						3	
						\$31,694.00	\$355.00

Permit Type:	Permit #	Applicant	Location	SBL #	Issued	Valuation	Fee Amount
						HVAC Total:	3
						Amount Totals:	\$25,694.00
						\$355.00	
New Residential	BP-2021-7386	Lawrence MacDonald	150 Walnut Ln	6367-00-	11/05/2021	\$275,000.00	\$2,571.00
						New Residential Total:	1
						Amount Totals:	\$275,000.00
						\$2,571.00	
Renovation	BP-2021-7395	Peter Fraser & Dan Vonder Brink	1235 Centre Rd	6468-00-	11/15/2021	\$18,000.00	\$160.00
	BP-2021-7400	Kevin & Susanne Marrinan	390 Allen Rd	6466-00-	11/23/2021	\$50,000.00	\$280.00
						Renovation Total:	2
						Amount Totals:	\$68,000.00
						\$440.00	
Residential Addition	BP-2021-7385	BCDE Family LP	191-195 E Meadowbrook Ln	6367-00-	11/01/2021	\$400,000.00	\$998.75
						Residential Addition Total:	1
						Amount Totals:	\$400,000.00
						\$998.75	
Storage/Utility Building	BP-2021-7389	Richard Nash	14 Traver Rd	6268-00-	11/08/2021	\$7,150.00	\$171.00
						Storage/Utility Building Total:	1
						Amount Totals:	\$7,150.00
						\$171.00	
						Permit Grand Total:	17
						Amount Grand Totals:	\$1,918,602.00
						\$10,390.75	

Completion Issued Report

11/01/2021 - 11/30/2021
 Contact Type: Applicant

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
4281	6566-01-459825-0000	CO	5730	Murphy Roy	38 Talleur Ln	11/03/2021
					Deck/Porch # of CC/CO : Issued : 1	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2009-5633	6566-00-290528-0000	Closed Out Certificate	BP-2009-5633	Shawn & Theresa Palmer	95 Spruce Ln	11/18/2021
					Garage - Detached # of CC/CO : Issued : 1	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2013-6171	6369-00-520662-0000	Closed Out Certificate	BP-2013-6171	Pedro Rizzo	428 Mountain View Rd	11/09/2021
					Farm Structures # of CC/CO : Issued : 1	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2019-6961	6368-00-752443-0000	CO	5731	Paul Smithyman	5 Lake Dr	11/15/2021
					Residential Alteration # of CC/CO : Issued : 1	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2019-6986	6566-00-363521-0000	CO	5734	Michael and Marion Morris	30 Heritage Rd	11/29/2021
					Residential Addition # of CC/CO : Issued : 1	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2020-7112	6566-00-363521-0000	CO	5733	Michael and Marion Morris	30 Heritage Rd	11/29/2021
					In Ground Pool # of CC/CO : Issued : 1	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2020-7136	6469-00-524448-0000	Temporary CO/CC	BP-2020-7136	BDK3 Enterprises LLC	23 Crimson Hill Rd	11/22/2021
					New Residential # of CC/CO : Issued : 1	
Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date

BP-2021-7238 6468-00-186328-0000 Closed Out Certificate BP-2021-7238 Erich Schaefer 782 Fiddlers Bridge Rd 11/15/2021

Above Ground Pool # of CC/CO : Issued : 1

Permit # SBL Completion Type Completion Number Applicant Location Completion Date

BP-2021-7306 6367-00-291583-0000 CC 1684 Rani Ban 62 Seelbach Ln 11/18/2021

Electrical Service # of CC/CO : Issued : 1

Permit # SBL Completion Type Completion Number Applicant Location Completion Date

BP-2021-7348 6566-00-034391-0000 CC 1682 Mary Ahearn 1449 Hollow Rd 11/16/2021

Oil Tank # of CC/CO : Issued : 1

Permit # SBL Completion Type Completion Number Applicant Location Completion Date

BP-2021-7373 6367-00-291583-0000 CC 1683 Ryan Closner 62 Seelbach Ln 11/18/2021

HVAC # of CC/CO : Issued : 1

Grand Total: 11

Highway Report for November, 2021

The Highway vehicle equipment is undergoing preparation for the upcoming winter season. Many repairs and maintenance work are being done in house to help defray automotive costs.

Fall leaf blowing was done to clean the ditches and the culvert pipes. Please call the Highway office if you notice any clogged culvert pipes.

Winter road prep has been completed. Blacktop was purchased before the plant closed for the season. Pot holes are being filled and crushed stone was hauled in to repair the dirt roads.

This month the Highway Dept borrowed the shared equipment bucket truck. Dead trees were removed along the roadway. In addition, while we had the truck it was used to decorate the Town Hall complex for the Holiday season.

We had the winter seasons first light snow in November and the crew came in to salt and sand

Winter/snow reminder: as of November 1st (thru April 15th) there is a "no parking" ordinance on all town roads. Also, please remember not to plow any snow into our public roads.

Summer equipment has been winterized and stored.

The new woodchipper has been delivered and the crew received training accordingly on its use.

The Highway crew has completed their required annual training safety classes for the year.

The County has notified us that the bridge on Fiddlers Bridge Road has been reopened and is ready for use.

Library Report
December 14, 2021 Town Board Meeting

The Library Board of Trustees met on December 13 via GoToMeeting.

As a reminder, masks are required for all those entering the library, except those 2 years and younger, regardless of vaccination status.

The Library Board was presented with an end of year financial report showing great financial stewardship of our library by the Board of Trustees. They then moved on to approving their 2022 budget.

This was the final meeting for Sue Ellen Fairbanks and Eliot Werner. We thank them for their service. Elisabeth Giglio was appointed to a Board of Trustees vacancy, effective January 2022. New officers were appointed for 2022. They are Mary Pat Sternberg as President, Kim Lewis as Vice President, Justin Carroll as Treasurer, and Johanna Whitton as Secretary.

There are two vacancies coming to the library board in January. If anyone is interested in joining the Library Board of Trustees, please contact Carol Bancroft, library director.

The next meeting will be held on January 10 at 6:30pm.

Report prepared by
Michael Whitton, Councilmember

Altice Report
December 14, 2021 Town Board Meeting

The Town received a letter dated December 1, 2021.

Effective December 31st, 2021, NBC Universal has decided to decommission its NBC Sports Network channel; therefore, this channel will be removed from the Company's lineups.

Effective December 31st, 2021, Fusion Media Group has decided to decommission its Fusion channel; therefore, this channel will be removed from the Company's lineups.

Report prepared by
Michael Whitton, Councilmember

Cemetery Report
December 14, 2021 Town Board Meeting

There were three interments this past month—two cremation burials in Pleasant Plains and one full body burial in Schultzville.

Eliot is completing work on a deed transfer and a deed replacement in Pleasant Plains.

Also working on a sale of two burial plots at Pleasant Plains.

Report prepared by
Michael Whitton and Eliot Werner

WIC Report
December 14, 2021 Town Board Meeting

The Wappinger Creek Watershed Intermunicipal Council has not met since our last Town Board meeting. The November 19 was cancelled. The next scheduled meeting is February 25th.

Report prepared by
Michael Whitton