

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

MEMBERS PRESENT

Paul Thomas, Chairman

Tom Bonanno
Gerald Dolan
Justin Carroll
Alex Ferrini
Gerry Thorpe

MEMBERS ABSENT

Jack Auspitz

ALSO PRESENT

Secretary – Arlene Campbell

Eliot Werner, Liaison Officer
Jeff Newman, MCEI

Chairman Paul Thomas opened the meeting to order at 7:30 pm. He indicated that there will be no meeting on April 4, 2023 and the meeting will be resumed on April 18, 2023.

VARIANCE APPLICATION:

None

PUBLIC HEARING:

Fasman and Payson Non-Hosted STR – property located at 425 Lake Drive, Tax Grid No. 6469-00-106349.

Applicants seek a special permit to operate a Non-Hosted Short-term Rental pursuant to Sec. 250.69.1 of the Town of Zoning Regulation.

Karin Payson and Michael Fasman both appeared for their application.

Ms. Payson briefly explained that they want to rent out their property when they're not around. The main home has two bedrooms and the guest cottage has one bedroom.

Chairman Thomas motioned to open the public hearing, seconded by Mr. Carroll, all Aye, Motion carried, 6-0.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

An email correspondence from Tim Goodmanson, who owns 400 Lake Drive was received in support of this application. A voicemail from Mr. Lenehan was also received expressing opposition and concern about the commercial use of the property.

Hearing none from the public, the board closed the public hearing.

Chairman Thomas motioned to close the public hearing, seconded by Mr. Ferrini, all Aye, Motion carried, 6-0.

APPLICATIONS:

Fasman and Payson Non-Hosted STR – property located at 425 Lake Drive, Tax Grid No. 6469-00-106349.

Applicants seek a special permit to operate a Non-Hosted Short-term Rentals on the main home and ADU pursuant to Sec. 250.69.1 of the Town of Zoning Regulation.

The applicants were back for the conclusion of their application.

Mr. Carroll stated that this is an application to operate non-hosted short-term rentals on the principal dwelling and an accessory dwelling unit. The principal dwelling has two bedrooms and the ADU has one bedroom. This is a total of 6 lodgers.

Ms. Payson noted that they are looking for a maximum of 6 lodgers. They don't want too many people in their home.

The board discussed the number of daytime guests. Chairman Thomas asked the applicants if they are proposing to rent these houses as a package. Ms. Payson responded, "Yes."

After a brief discussion about the number of lodgers, the panel agreed to have 6 lodgers and 6 daytime guests.

The panel discussed the shared driveway. Ms. Payson noted that their neighbors who share the driveways support their proposal. One of the neighbors is her cousin.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

The board agreed to pass a resolution, to wit:

Mr. Carroll motioned that the Town of Clinton Planning Board approves the following resolution in the matter of **Fasman and Payson NonHosted Short-term Rental** on property located at 425 Lake Drive **Tax Grid No. 6469-00-106349**.

Whereas, the Town of Clinton Planning Board has received an application for a Special Use Permit from Michael Fasman and Karin Payson for the purpose of utilizing a principal residence and an accessory dwelling unit (the “Dwelling Units”) located at 425 Lake Drive in the Town of Clinton as Non-Hosted Short-Term Rentals pursuant to Section 250-69.1 of the Zoning Law; and

Whereas, the subject property is identified as tax parcel number 6469-00-106349 and is located in the C Zoning District; and

Whereas, the applicant does not propose any alteration, excavation or construction on the site in connection with the requested permit; and

Whereas, the applicant has submitted an inspection report, dated within ninety days of the date of the application, stating that the existing sewage disposal system serving the Dwelling Units is adequately functioning for the intended use at the time of inspection; and

Whereas, on February 20, 2023, the Town of Clinton received an authorization form for Victor Zelek to appear on the applicants’ behalf at the Planning Board meeting in connection with the application; and

Whereas, a Short Form EAF, Part 1, has been received and reviewed; and

Whereas, the Planning Board has determined that the proposed action will not have a significant adverse impact on the environment based on the criteria set forth in 6 NYCRR 617.7(c) and qualifies as a Type II action under SEQR (6 NYCRR 617.5(c)(18) (“reuse of a residential or commercial structure”)); and

Whereas, the Planning Board conducted a public hearing during its regular meeting on April 19, 2022; and

Whereas, the Zoning Administrator has inspected the Dwelling Units and certified that they are in compliance with the permitting requirements set forth in Section 250-69.1 for use of the Dwelling Units as a Non-Hosted Short-Term Rental and that there are no known zoning violations on the property; and

Whereas, the Dutchess County Department of Planning and Development has previously stated to the Planning Board that an STR application is “a matter of local concern”; and

Whereas, the Applicant has represented to the Planning Board that the Dwelling Units will only be rented together, and not individually; and

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Whereas, the Planning Board has determined that the maximum number of Lodgers allowed shall be 6 adults and the maximum number of daytime visitors permitted on the property shall be 6 persons; and

Whereas, after review of the application and all other submissions by the applicant, the Planning Board has determined that the application and Dwelling Units are otherwise in compliance with the requirements of Section 250-69.1; and

Whereas, this Special Use Permit shall remain in effect for one year from the date of approval by the Planning Board and shall require annual renewal by the Planning Board, upon timely request by the property owner pursuant to Section 250-69.1D(4), no later than the anniversary of such issuance; and

Whereas, the applicant shall ensure that the Dwelling Units comply with the requirements of Section 250-69.1 at all times while being utilized as a Non-Hosted Short-Term Rental and shall otherwise comply with applicable Town, County and New York State law and regulations governing such use; and

Whereas, all applicable fees have been paid:

Now Therefore Be It Resolved, that the Planning Board hereby grants approval of the requested Special Use Permit, effective as of the date of this resolution.

MAXIMUM NUMBER OF LODGERS PERMITTED: 6 adults

PERMIT REMAINS IN EFFECT UNTIL 3/6/2024 (SEE SECTION 250-69.1D(4) FOR ANNUAL RENEWAL PROCEDURE)

Seconded by Mr. Ferrini,

Discussion. None.

All Aye, Motion carried, 6-0

MTS Realty Non-Hosted STR permit – property owned by Barry Milea located at 132 Rymph Road, **Tax Grid No. 6366-00-065969.**

Applicant seeks a special permit for a Non-hosted STR pursuant to Sec. 250-69.1 of the Town Code.

Gilda Elser was back before the board. She gave an update about her conversation with the previous property owner regarding the deed restriction. Mr. Brands is supposed to get back to her but noted that she hasn't heard a word yet. She's hoping to hear from Mr. Brands soon.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Ms. Elser asked the board if this issue will still be a discussion if the party involved is not Mr. Brands. Mr. Carroll responded, "Yes". He noted the same issue that had transpired from a previous application not too long ago.

Ms. Elser expressed her frustration about the issue. She underscored that they will vet their renters. She added that Mr. Milea already addressed the parking issue after the said concern was raised at the public hearing.

Chairman Thomas expressed his trouble about the said deed restriction. This is not something that was put into a deed for 50 years or so. This restriction was agreed by both parties when the sale had transpired in 2021. Both parties were aware of it.

Chairman Thomas stated that the board cannot just ignore the issue though the board cannot enforce deed restrictions. This is not a court. The board can only take the whole thing into consideration.

Ms. Elser commented that they are trying their best to make everything right. Mr. Milea reached out to Judge Brands twice. She asked the board if Mr. Brands need to sign off on the issue before they can get the approval.

Chairman Thomas responded that he doesn't want to speak for the board. He commented that the parties can at least reach an agreement.

Chairman Thomas stated that this is a question whether the Brands will get back to the applicant. He asked if they need to wait for the response from the neighbor or does the board feel comfortable issuing a decision that night. The board has 62 days to make a determination after the public hearing is closed.

Ms. Elser stated that this property stood empty for two years. They turned this house into a beautiful home. She asked, "Don't we get credit for that?"

Chairman Thomas commented that the use that they're proposing is contrary to the use that the previous and current owners agreed when the sale was made. It's on the deed.

Mr. Thorpe asked the applicant if she thinks she can get a letter from Mr. Brands about the proposal. Ms. Elser responded, "Yes".

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Mr. Ferrini expressed his concern. He acknowledged the determination made by Mr. Newmann about the ownership of the short-term rental as an entity but noted that this does not address his concern. (Letter of determination dated March 1, 2023 whether a business entity can be granted a Non-Hosted STR).

Mr. Ferrini stated that his question was not so much about granting a short-term rental to an entity. The board grants this approval all the time.

Mr. Ferrini presented an ad about the 132 Rymph Road property that he'd found posted on the Milea Vineyard website. He remarked, "They are advertising this as a hotel!" He asked, "What would have stopped a corporation from buying a bunch of properties and turning them into short-term rentals?" This is like granting a business or commercial special permit in the residential zoning district.

Ms. Elser disagreed. She said that this is not portrayed as a hotel. This is a historical 3-bedroom house.

Chairman Thomas asked Mr. Ferrini if he viewed short-term rental use as an accessory use to the residential primary use. Mr. Ferrini responded, "Yes."

The board had a lengthy discussion about Mr. Ferrini's concern.

Mr. Carroll cited an instance. He asked, "What if I bought the house next door and use it as an AirBnB 365 days a year?"

Mr. Ferrini responded, "Is that what we wanted to permit?" Do we want to grant commercial use in the residential zone district?"

Mr. Carroll noted that these are the fundamental debates when the STR law was being crafted. The law limits two short-term rental properties per property owner.

Mr. Newman agreed with Mr. Carroll. He added that the Milea Vineyard and MTS Realty are two separate entities. The short-term rental ad or booking platform on the Milea Vineyard is not allowed as the vineyard operated by Milea Estate Vineyard and owned by Barry Milea has no permits in place to

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

allow them to host Lodgers. Likewise, if granted, the MTS Realty STR would not extend to the Milea Estate Vineyard since the MTS Realty entity does not own the property associated with Milea Estate Vineyard. He underscored that these are two separate entities.

Mr. Carroll asked if an ad on the website gives reference like “See AirBnB” is allowed? Chairman Thomas asked, “Can it be an affiliate?” Mr. Newman responded that there can be ways around it.

Ms. Elser stated that she believes that Mr. Milea is the sole owner of the vineyard. He puts the 132 Rymph Road property under MTS Realty but he owns both properties.

Mr. Newman stated that the offering is still presented by the winery.

Ms. Elser stated that they can change the ad on the winery.

The panel had a very lengthy discussion about the ad reference on the Milea vineyard website. Ms. Elser stated that their website has reference to all kinds of ads, like places to go, places to stay, etc.

Mr. Ferrini commented that this house has a clear different status than the hotels in the area.

Ms. Elser asked Mr. Ferrini, “If this property is under Barry Milea instead of the MTS Realty, will this still be an issue?”

Mr. Ferrini responded that short-term rentals under the entity name is not the issue. The board granted STRs in the past under the entities’ name.

Mr. Thorpe asked Mr. Ferrini exactly what his issue was about the proposal.

Mr. Ferrini responded that he viewed this as a commercial enterprise operated by the Mileas who’s running a winery. This is like a winery who wants to open an “Inn”.

Mr. Thorpe asked Ms. Elser if she can get a letter from the Brands disassociating this permit from the winery.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Chairman Thomas stated that maybe they can put a reference on the website but clearly a different operation. The deed allows the use from the guests of the winery. On the contrary, the property cannot be rented to the guest of the winery until the vineyard gets all their permits. (It was noted that the Milea Vineyard does not have a special permit to host Ag Events). This is difficult to resolve at this moment. Maybe they need to get all their permits first.

The board exchanged opinions about the issue.

Mr. Carroll stated that maybe they can have a website that says “Places to stay, and list 3 different Airbnbs in the area. He doesn’t have a problem with that. It seems that there is an issue about an overlapping ownership between the suggestion, and an option versus listing different AirBnB on Rymph Roads or Hollow Road.

Mr. Ferrini commented that maybe it is just a matter of presentation or emphasis. So far, the presentation he sees is about “Here’s a house associated with the winery.”

Ms. Campbell asked if the 505 Hollow Road is also an extension of the winery. Ms. Elser responded that Mr. Milea might just renovate it and decide to sell it. She doesn’t know.

Chairman Thomas asked if maybe they can have a link that points to the rental. It should not be the winery renting it out. It cannot be AirBnB or other short-term rentals.

The board had a lengthy discussion about the marketing of this rental and how to move forward with the application.

Mr. Carroll stated that the board is not under the obligation to enforce deed restrictions though this is more dangerous to the applicant. It makes everyone happy if there is an agreement between the neighbors.

Mr. Dolan feels that the hurdle will not be resolved until they hear back from Mr. Brands.

Mr. Bonanno cited a previous case about a driveway agreement. He asked the board how they can ignore this deed restriction. Chairman Thomas

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

responded, "That case did not have a deed restriction." That was about a driveway agreement matter between the neighbors.

Mr. Carroll indicated the deed restriction in one of the previous cases. The board agreed that they cannot enforce deed restrictions in reviewing applications. This will be consistent with the prior determination. He also indicated his issue about the private driveway matter that was before the board in the past. He opined -- that is a private driveway that renters do not have the right to drive on.

Mr. Thorpe felt that the winery is also classified as an "Inn". He asked the MCEI if the winery and this property is classified as one entity. Mr. Newmann responded, "No". The winery does not have a permit to host lodgers.

Ms. Elser noted that Mr. Milea bought this property to house winery guests.

Mr. Thorpe feels that this is running a commercial entity in a residential district. He wouldn't want this next to his house.

Chairman Thomas stated that they still have more time to give a decision. The board will have to vote when the time comes. Maybe the applicant can hear back from the Brands. The board can only take the deed restrictions into an account in voting but the board cannot enforce covenants.

Mr. Carroll asked if there is a way to address Mr. Ferrini's and Mr. Thorpe's issues before voting. Chairman Thomas added that there is also an issue about the marketing of the STR. He underscored that LLCs or entities can buy properties and rent it out 365 days/year but there is a cap of two properties per the regulations.

Mr. Ferrini said that if the regulation only allows two properties per entity or property owner then he's okay with that. He still has trouble connecting this rental to the winery. The connection with the winery is concerning. The neighbor is concerned about the use unless it's connected to the winery but it seems the connection to the winery is a problem.

Ms. Elser stated that they will be happy removing the ad from the winery.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Chairman Thomas stated that the only reason why they're trying to connect it to the winery is because it seems to adhere with the neighbor's wishes if the rental is connected to the winery guests per the deed restriction.

Mr. Carroll would love to see how this rental is going to be marketed. Ms. Elser responded that they would remove the ad from the winery website. This short-term rental will be marketed through Stay Marquis. The tenants will be vetted through Stay Marquis and then it will go to Ms. Elser.

The board had a lengthy discussion about the marketing of this STR.

Chairman Thomas stated that he doesn't have a problem with the ad on their website as long as there is a link to Stay Marquis.

Mr. Thorpe asked, "How about putting it on their website but not promoting it as theirs?"

The board did not have a problem about a link on the winery website that will connect to Stay Marquis or another company and goes to the local manager to control the rentals.

The board agreed to get more input from the Brands before making a decision.

No action taken.

CECNY Land Holdings Wetlands Permit– property located at 30-68 Naylor Drive, **Tax Grid No. 6268-00-591367.**

Applicant wishes to remove an old bridge pursuant to Sec. 250-78 of the zoning regulation.

Michael Palumbo and Lisa McClung, representatives from CECNY Land Holdings along with their engineer Rod Morrison from LRC Group all appeared for this application.

Mr. Palumbo explained that they purchased the Old Stone Farm in November of 2022. They hired LRC Group to work with them through the process of removing the old bridge.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Mr. Morrison stated that they had worked with the previous property owners of this property in replacing the bridge. The bridge was replaced in 2014 but for some reason, the old bridge was never removed. Mr. Morrison noted that the DEC approved their work plans and issued the DEC permit. They have until April 14, 2023 to get the work done to avoid adverse impact to the Blanding' turtles. The wetlands delineation is current. There's only a little bit of disturbance. Half of the wetlands' disturbance area is under the Town of Hyde Park.

Mr. Morrison explained that they didn't realize that they needed wetlands' permit from the town. They are now before the board to get the approval so that they can meet the DEC deadline. He explained the details of the proposed plan to remove the bridge and restore the banks. He commented that this is pretty straight forward.

Mr. Ferrini asked if the Town of Hyde Park issued the wetlands permit. Mr. Morrison responded that per the Town of Hyde Park, it is not necessary since they have the original wetlands permit when the bridge was replaced. (It was noted that the Town of Clinton never issued wetlands' permit for this action).

Mr. Ferrini asked Mr. Morrison if the existing road will be used while the bridge is being removed. Mr. Morrison responded, "Yes". He explained the details of the work process.

Mr. Thorpe commented that he was very familiar with the importance of the bridge when they replaced it. This is a no-brainer.

Chairman Thomas stated that the town still needs to issue the wetlands permit per Sec. 250-78 of the zoning regulations although the DEC already issued the DEC permit. The board needs to do SEQRA and issue wetlands' permit.

Mr. Ferrini agreed with the chairman. He commented that even though the town engineer sent his comment about his view, the board can still send the proposed plans back to the town engineer for review. He doubts if he's going to change his comment or anything.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Mr. Morrison noted that the town engineer has already seen the plans and signed off on it.

It was noted that there was a letter from the town engineer dated March 4, 2023, stating that per his dialog with the MCEI, they agreed that the removal of the bridge could be covered under the DEC permit.

The board discussed the list of agencies in regards to SEQRA review.

Chairman Thomas commented that this is unusual since the process went to the other agencies first before the town review. In terms of SEQRA, the action is an uncoordinated review since DEC and Hyde Park had already signed off on the permit. They are all involved agencies including the Town of Clinton.

The board reviewed the Short Form EAF and issued the findings.

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

**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The **TOWN OF CLINTON PLANNING BOARD**, as an involved agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action: Matter of CECNY Land Holdings former bridge removal
Wetland Permit Application**

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action:

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

The action is an application from CECNY Land Holdings LLC for a Wetland Permit approvals to allow the removal of a former bridge across Crum Elbow Creek. The application involves tax parcel 6268-00-591367 located in the Very Low Density Agricultural (RAR5 District. The Planning Board is an involved agency.

Location:

2434 Route 9G in the Town of Clinton, Dutchess County, New York.

Reasons Supporting This Determination:

1. The bridge has already been replaced, and this action is required to complete and comply with the conditions of an outstanding NYSDEC work condition (Ref. NYSDEC # 3-1399-0070/00008. The New York State Department of Environmental Conservation (NYSDEC) Division of Water, Bureau of Flood Protection and Dam Safety has determined that the old bridgeposes a risk to the public and to the environment and must be removed.
2. Access to the bridge for the removal work would be via the existing road, and requires no additional permit.
3. During removal of the bridge, truck traffic may slightly increase during the period the work would be performed. Any increase in the number of vehicle trips on Route 9G and other local roads would be of short-term duration, estimated to be three weeks. The additional vehicle trips would not significantly affect or result in a degradation of the operating characteristic of any nearby roads or intersections. This level of additional vehicle travel on local roads is not considered significant and would not result in changes to the operating level of service of area intersections, and would not result in a significant adverse change in air quality from vehicle exhaust.
4. The project would not result in an increase in the local population, and there would be no increase in solid waste production.
5. No access drive, other than the existing driveway, is required. Accordingly, the project is not expected to cause a substantial adverse change in existing ground or surface water quality or quantity.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

6. The work would occur in an area that was previously disturbed as part of the new bridge construction. As a result, the Lead Agency has concluded that the project would not result in the removal or destruction of large quantities of vegetation or fauna, and would not substantially interfere with the movement of any resident or migratory fish or wildlife species. No disturbance to or a substantial adverse effect on any identified significant habitat areas, threatened, or endangered species of animal or plant, the habitat of such a species, or other natural resources has been identified.

7. The project is permitted under the Town Zoning Law subject to obtaining Wetland Permit approval. The proposed activity is consistent with all current development plans and goals as officially approved and adopted, and would not result in a substantial change in the use, or intensity of use, of land devoted to agricultural, open space, or recreational use.

8. A review of the NYSOPRHP site data indicates that there are no sites or districts listed on the state or national registers of historic places adjacent to the property. Accordingly, the proposed project would have no known adverse impact on historic or prehistoric cultural resources of local, state, or federal significance.

9. The activity is a bridge removal project that would be of short-term duration and would be consistent with the low-density rural residential character of the area.

10. The proposed action would not result in a major change in the use of either the quantity or type of energy, and will not create a hazard to human health.

Seconded by Mr. Dolan.

Discussion. None

All Aye, Motion carried, 6-0.

The board passed another resolution.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

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

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 CECNY Land Holdings, LLC for the purpose of the final removal of an old bridge, pursuant to and in accordance with the Permit issued by the New York State Department of Environmental Conservation (Permit #GP-0-20-002, DEC ID#3-1399-00070/00008), which is in the AR5 Zoning District in the Town of Clinton, **Tax Grid #132400-6268-00-591367**.

WHEREAS:

1. Section 250-78 of the Town of Clinton Zoning Law requires a Permit for the removal of materials from any wetland, watercourse or controlled area.
2. The Town of Clinton Planning Board is an involved agency 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 March 7, 2023.
3. There are no known violations per the ZEO.
4. All appropriate fees have been paid.
5. The application has met all of the requirements of Section 250 – 78(F).
6. The application and proposed work meet all of the requirements of 250-78(l).
7. The NYSDEC has reviewed and approved the plans for the work, and has issued a corresponding permit. The Town Engineer has no objection to the application.

NOW, THEREFORE, BE IT RESOLVED, the Town of Clinton Planning Board grants approval of the requested Permit to perform the work described in DEC Permit No. GP-0-20-002, pursuant to Section 250-78.

Seconded by Mr. Dolan.

Discussion. None

All Aye, Motion carried, 6-0.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

OTHER MATTERS:

CECNY Landing Holdings (previously Old Stone Farm) – Mr. Palumbo made a preliminary presentation about their intent for the newly acquired property. They've been repairing things on this property since it was a little bit neglected.

Mr. Palumbo explained that they have a brand called Sixth Senses that is more about meetings and lifestyles. He submitted a preliminary plan of what they're proposing. He underscored that they want to develop this plan with the town. He wants to make sure that they are going to the right path. He invited the board to visit the site to get a better understanding of what they're proposing.

Chairman Thomas asked about the overall concept of this proposal. Mr. Palumbo explained that they have a famous yoga instructor who will be doing a seminar that will take about three days. Sixth Sense will be adding a client therapy to the yoga seminar so a three-day program can be a 5-day program. A client will have to book a program like 3 nights, 5 nights, depending on the program they choose before they can come to the site.

Chairman Thomas asked what's already existing and what is new on this property. (It was noted that Old Stone Farm is a Conference Center approved in 2006). Mr. Palumbo explained the details of the map that he presented to the board. The Equine Hub (existing arena), historic core, and the existing buildings are staying. There is a Kelly barn with 10 rooms and a workhouse that is currently a restaurant. This existing restaurant is not open to the public. They might remove this building and add another building for more accommodations.

Chairman Thomas asked about the capacity. Mr. Palumbo responded that it will be 100 to 120 people.

Mr. Palumbo stated that there is an existing SPA in the basement of the Kelly Barn that is proposed to be a bigger SPA. The existing restaurant will be relocated to the central part of the property.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Ms. McClung noted that the proposed wellness and fitness center will fit the agriculture nature of the property. She added that they will be providing their own food to the clients. They will also be buying local food from the community as they want to share a portion of their profit to the community. They want to make sure that every element of this project is integrated with the community.

Mr. Carroll asked if the public can only access the amenities through the program. Ms. McClung responded, “Yes, for now”. They would love to involve the community in the future but for now – it’s only through the program.

Mr. Carroll commented that this sounds like Omega.

Chairman Thomas asked how this differed from Omega Inst. Mr. Palumbo responded that they are more of a mainstream wellness. They are also trying to fit in the agriculture in what to grow on the property.

Ms. McClung added that their program is more of a structured learning. Mr. Palumbo stated that they can have ten different programs like equine, yoga, wellness, hiking, etc.

Mr. Newmann stated that Omega is a workshop space wherein they bring in teachers on periodic times while Sixth Sense offers a program that has constituents throughout the year. He added that Omega is also seasonal. They are not open all year round.

Mr. Carroll asked how they take into account the number of buildings and accommodation allowed on the property. He asked, “What’s the current capacity?” Mr. Palumbo responded that they have 44 guests right now based on the conference center special permit approval. He added that they will be asking to increase this number when they go for formal approval.

Mr. Newmann stated that the capacity is calculated based on the acreage per the current conference center regulation.

Mr. Carroll asked if the overnight guest and the capacity are the same. Mr. Newmann responded that they are the same.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

Mr. Ferrini asked if this would be an application for a special permit for a conference center. Mr. Newmann responded that this will be an application for an amendment of a conference center's special permit.

Ms. Campbell asked if Browns Pond is going to be accessible by the guest. Mr. Palumbo responded, "No."

Mr. Bonanno asked if there will be new housing proposed on the Clinton parcel. Mr. Palumbo responded, "No." The trailers are in the Hyde Park parcel and the cottage is in the Rhinebeck parcel.

Chairman Thomas asked if they will be hiring local people. Mr. Palumbo responded that they will have 200 people working a 24/7 shift schedule. They will be hiring local people except for the manager.

The board exchanged opinions about the proposal. Mr. Palumbo said that they are still working on the plan.

No action taken.

Upton Lake Christian School (Board Discussion) – Salt Point Turnpike, Tax Grid No. 6566-02-587843 & 648951.

Upton Lake wishes to build a new high school that will be connected to an existing elementary school.

Mr. Bonanno explained the site plan that he was able to procure from the Town of Washington. The applicant is seeking a wetlands' permit from the Town of Washington. Mr. Bonanno said that he will keep the board posted about any new development.

No action taken.

BOARD DISCUSSION:

1. Mr. Werner discussed the proposed Local Law about Farm Operations.
2. The board asked the liaison officer to convey to the town board the dire need of a town planner.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
March 7, 2023**

3. Mr. Newmann gave an update about the Hart's Ag Events proposal. The Harts agreed to file a special permit for a conference center and seek an area variance.

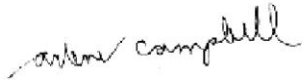
APPROVAL OF MINUTES:

Mr. Dolan motioned to approve the minutes of February 21, 2023, seconded by Mr. Ferrini, All Aye, Motion carried, 6-0.

ADJOURNMENT:

Mr. Dolan motioned to adjourn the meeting at 9:45 pm, seconded by Mr. Auspitz, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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