

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
October 3, 2023**

MEMBERS PRESENT

Paul Thomas, Chairman
Jack Auspitz
Tom Bonanno
Gerald Dolan
Justin Carroll
Alex Ferrini
Gerry Thorpe

ALSO PRESENT

Secretary – Arlene Campbell

Eliot Werner, Liaison Officer
Jeff Newman, MCEI

Chair Thomas opened the meeting to order at 7:32 pm.

VARIANCE APPLICATION:

None

PUBLIC HEARING:

- None

APPLICATION:

Six Senses HV (CECNY Land Holdings LLC) Site Plan and Special Permit for Conference Center – Tax Grid No. 6268-00-591367 (Town of Clinton) - 30-68 Naylor Rd Parcel and Tax Grid No. 6268-00-461408 (Town of Hyde Park) 2450 Route 9G

Applicants seek site plan and special permit to expand the existing Conference Center use of the 228.4-acre property that is located in the Town of Clinton and 8.2 acres in the Town of Hyde Park. The Clinton parcel is in the AR3 and AR5 Zoning District while the Hyde Park parcel is in the GB (Greenbelt) Zoning District.

After making a full presentation at the workshop, Kelly Liebolt, planner from KARC Planning Consultants Inc. along with her team Amy Argyrakis, KARC Planning Consultants Inc., Rod Morrison engineer from LRC Consultants Inc.,

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES**

October 3, 2023

and Victoria Polidoro, legal counsel, were all back for this application. Also present is Mike Palumbo from CECNY with his team, Karen Foley and Lisa McClung.

Note that there were no minutes available in the workshop. The video for this workshop is available to watch on the town website.

Chair Thomas noted that MCEI Jeff Newman submitted a recusal letter for any involvement of the Six Sense application. He will be relieved by the Building Inspector, Michael Cosenza for all the duties of the zoning officer and underscored that Mr. Cosenza will be making the ruling regarding the use of the property.

Since part of the property touches Browns Pond Lake, Chairman Thomas asked the applicant if there is any intention to build or have any development back there. Is the lake accessible by the guests?

The board had a lengthy discussion about the matter. Chairman Thomas expressed concerns about guests who might get lost wandering while walking or hiking and ended up in that area. This is a private lake.

Mr. Palumbo responded that there will be no development back there. The guests will not be allowed in that area.

Mr. Auspitz suggested putting fences if there will be trails back there to prevent guests from wandering this area.

William Brady of NPV, Town Planner discussed the procedural process of this application as mandated by the state. The board will vote on the resolution regarding the declaration of the lead agency for SEQRA purposes. This application will then be circulated to the agencies and will be given 30 days to respond. Public hearing will be set at the next scheduled meeting.

Chair Thomas motioned and read the following resolution as crafted by the town planner, William Brady from NPV.

**RESOLUTION CLASSIFYING THE ACTION AND DECLARING INTENT
TO SERVE AS LEAD AGENCY IN A COORDINATED SEQRA REVIEW**

Six Senses Hudson Valley 68 Naylor Road

Owner: CECNY Land Holdings LLC

Applicant: CECNY Land Holdings LLC

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
October 3, 2023**

WHEREAS, the applicant, CECNY Land Holdings, LLC, has submitted an application dated September 5, 2023, supplemented on September 27, 2023 for amended site plan and special permit approval to expand the uses and activities at the property located at 68 Naylor Road, a 228.4-acre lot identified as 132400-6268-00-591367 in the Town of Clinton and an 8.3-acre lot identified as 133200-6268-03-461408 in the Town of HydePark (the “Project”); and

WHEREAS, the site includes 19 buildings, with five of the buildings to be removed as part of the proposal, four to be relocated and at least two buildings to be expanded; several buildings, including a horse arena, will continue as agricultural or equestrian uses, while several buildings will be converted for new wellness and recreation uses; approximately 27 new buildings will be constructed on the site; 11 of the 27 new buildings will include guestrooms; 65 lodging accommodations are proposed; and

WHEREAS, the Project is depicted on a site plan entitled “Lead Agency Circulation Set for Six Senses of the Hudson Valley” prepared by LRC Group last revised September 5, 2023, Sheets CV-1, OHP-1, SP-1, SG-1, TT-1, L-001, LT.101 and LT.102 (the “Site Plan Set”); and

WHEREAS, the applicant has submitted an amended Long Form Environmental Assessment Form dated September 5, 2023, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, in accordance with SEQRA, the Planning Board is required to determine the classification of the proposed Project; and

WHEREAS, the Project proposes to physically disturb 25.5 acres, and

WHEREAS, pursuant to 6 NYCRR § 617.4(a)(6)(i), a project or action that involves the physical alteration of 10 acres, is a Type I SEQRA action. This being the expansion of a facility, the threshold is reduced by 50 percent (5 acres of disturbance). Further, the threshold is reduced to 2.5 acres when a property is located in a NYS-certified agricultural district, as is the case with the subject property.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board:

1. Classifies the Project as a Type I action under SEQRA and declares its intent to serve as Lead

Agency in a coordinated review of the Project; and

2. Directs its Secretary to circulate a SEQRA Notice of Intent to all involved and interested agencies.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
October 3, 2023**

Seconded by Mr. Ferrini.

Discussion. Mr. Ferrini suggested the following modification/insertion such as: the first “Whereas” should state “to expand the use of activities on property, The second “Whereas” to include – 19 sites building, on the First line, the proposed action is – at the site, second line is – the existing site, -- include the buildings.

All aye, 7-0.

Mr. Ferrini motioned to send the copies of the application to the Dutchess County Planning Department pursuant to GML ...

Seconded by Mr. Auspitz, all Aye, Motion carried, 7-0.

Morse 2 Lot subdivision (Sketch Plan Approval) – 574-610 Hollow Road, Tax Grid No. 6366-00-442907

Applicant wishes to subdivide a 18.5 acre lot in two buildable lots that is in the AR3 Zoning District. Lot 1 is 5 acres and Lot 2 is 13.5 acres.

Chair Thomas disclosed that he is acquainted with the applicant but noted that this will not affect his ability to be objective in respect to this application. Mr. Auspitz and Mr. Carroll echoed the disclosure.

Jeff Newman joined the panel for this application.

Rich Morse appeared and explained his application as indicated above for the sake of selling the 5-acre lot. He will be keeping the remaining 13.5-acre lots. Mr. Morse indicated the history of the property.

Mr. Dolan expressed his comments per the lead member of this application. The board is just reviewing the sketch plan of the proposed subdivision. There are two driveways on this property which is unusual for a single piece of property. One to the farthest west and the other one close to the house.

Mr. Morse noted that the other driveway used to be an existing farm lane and was in existence when they bought the property. He indicated that this road was approved by the county.

Mr. Dolan asked the applicant to give a copy of the approval to Ms. Campbell. The applicant agreed.

Mr. Dolan indicated all the wetlands on the property. He asked, “Are these wetlands going to inhibit any future development on the property?” There is a huge swamp to the southern part of the property.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
October 3, 2023**

Mr. Morse discussed the wetlands on the property. There is a stone wall that goes around. The other side of the stone wall is a wetland and the other side is not.

Mr. Bonanno asked if there is a septic system associated with the barn. Mr. Morse responded that there was a deep test hole and perk test done but the Department of Health didn't pass it. He fired the engineer who did the work and hired a new engineer, Jo Berger who is well known to be a good engineer. He was told that this system will pass but after what he'd been through from the initial process, Mr. Morse commented that he never finished the process. He told the tenant that under no circumstances only use the septic system except in an absolute emergency situation.

The board had a lengthy discussion about the matter.

Chairman Thomas commented that this is a non-realty subdivision. Board of Health approval is not required prior to the subdivision approval but they will need an opinion from an engineer that a septic can be installed on this lot. It just needs a theoretical area that a house can be built there and the lot is buildable.

Mr. Bonanno asked if this was a contractor's yard. He questioned if this is allowed in the AR3 District. What happens when this property is subdivided? There's no house on the other parcel but a workshop building. Mr. Morse responded that he has a pre-existing contractor's yard.

Mr. Newman commented that the contractor's yard only talked about storage in the yard.

Mr. Thorpe commented that there should not be an accessory structure without a primary dwelling or structure.

Mr. Dolan said that the proposed 5 acre lot will have a workshop building. The lot is not board of health approved. The applicant can get a special permit to make the other building an ADU.

The panel had a lengthy discussion about the issue. Mr. Morse said that he is not sure whether Sam, the tenant who wishes to buy the 5 acre parcel will be building a house there. If he does, then he will have to seek board of health approval for the septic. The subdivision can still be approved without a house on the other lot or the existing structure can be converted to a dwelling. He asked the board if they can issue an approval with a condition

Mr. Dolan said that he doesn't know whether a standalone workshop building can be on a newly created lot under the zoning regulation. The existing building can be converted to an accessory dwelling unit prior to the subdivision approval.

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
October 3, 2023**

Mr. Thorpe asked if the subdivision process can move forward if the building is empty and not being used as a workshop.

Mr. Dolan suggested putting off the subdivision process subject to the board of health approval of the ADU given the size of the property is large enough.

After a lengthy discussion, the board agreed that the applicant needs to decide on what to do with the existing workshop building on the property when the lot gets subdivided.

No action was taken. Applicant to decide whether to seek a special permit for an ADU.

OTHER MATTERS:

1. Mr. Werner gave an update about the latest on proposed Farm Operation Law. Hopefully, the draft will be ready for the October Town Board public hearing.
2. The board had a lengthy discussion about the Short-Term Rental Law. Mr. Werner discussed that the Town Board is in the process of tweaking the Short-Term Rental Regulation. He encouraged the board to give their comments and input.
3. The board agreed that there will be no meeting on November 8, 2023 due to general election day.

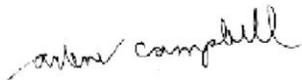
APPROVAL OF MINUTES:

No Minutes were approved.

ADJOURNMENT:

Mr. Dolan motioned to adjourn the meeting at 8:30 pm, seconded by Mr. Auspitz, All Aye, Motion carried, 7-0.

Respectfully Submitted,



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