

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
February 6, 2024**

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

**ALSO PRESENT**

Secretary – Arlene Campbell

Katherine Mustello, Liaison Officer  
Jeff Newman, MCEI

Chairman Paul Thomas opened the meeting to order at 6 :00 pm. He gave his procedural comments about the agenda items and welcomed Katherine Mustello as the new Planning Board's Liaison Officer. He thanked Eliot Werner for his longtime dedication and many years with the Planning Board as Board Liaison Officer. He asked the board's permission if he can make a recommendation to the Town Board to appoint Pete Setaro, who is now working at Renia Engineering, as Planning Board consultant and engineer given his 25 years of work experience and history with the town. The board will have the option to continue to use CPL as needed. The board unanimously agreed.

**VARIANCE APPLICATION:**

**Popolow Area Variance** – property located at 205 E. Fallkill Road, **Tax Grid No. 6266-00-819678**

The applicant requests an area variance to Sec. 250-22 A-4 to increase the number of accessory structures in order to build a 39' x 26' detached garage on a 37.8-acre lot in the AR5 Zoning District.

Dennis Loveland from Loveland Landscaping appeared and explained that they are proposing to build a detached garage to store farm equipment and cars.

Mr. Dolan indicated that there are currently four accessory structures on the property including the proposed 39' x 26' structure. This requires an area variance. He indicated that there is currently a large barn on the property.

After all the comments were made, the board passed a recommendation letter to the ZBA.

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

**BE IT RESOLVED**, the Planning Board is making a negative/neutral/positive recommendation for approval to the Town of Clinton Zoning Board of Appeals on the requested area variances from A.4 Section 250-22 Accessory Structures for construction of a 39' x 26' barn for property owned by Jonathan Popolow and Nicole Skalla and located at 205 E. Fallkill Road, tax grid number 132400-6266-00-819678 in the AR5A zone.

**WHEREAS;**

1. The applicants currently have 4 accessory structures, the maximum allowed per Town of Clinton Code is 3. The applicants wish to add another, a 39' x 26' barn requiring an area variance from A.4 Section 250-22 Accessory Structures.
2. This is a 37.8 acre site located in the AR5A zoning district.
3. The lot is not in an Ag District or a CEA.
4. It is noted that an area variance is a Type II action under SEQRA and requires no further action.
5. The site does not contain a DEC wetland but is outside the area of activity
6. The site is on a Clinton Scenic/Historic Road, that being East Fallkill Road and must conform to Local Law #3 of 2001.
7. With the addition of this barn, the applicants state that an undesirable change will not be produced in the character of the neighborhood or be a detriment to nearby properties.
8. The benefit sought by the applicant cannot be achieved by any other feasible method without the variance; given each of the other accessory structures complement the property and the surrounding neighborhood
9. The requested variance is substantial.
10. There will be no potential adverse effect or impact on the physical or environmental condition in the neighborhood.
11. The alleged difficulty is self-created.

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12. The application fee has been paid.

13. A consent authorization is on file with the clerk for Dennis Loveland..

***Now, therefore, be it resolved***, the Town of Clinton Planning Board provides a positive recommendation for approval to the Town of Clinton Zoning Board of Appeals with a question to the board.

- Does the property require an additional variance or is the barn/gym incorporated into the pool area truly a pool/pool house?

Seconded by Mr. Ferrini,

**Discussion.** None.

All Aye, Motion carried, 6-0.

**Marrott and Grimaldi Lot Line Adjustment** – properties located at 869 Hollow Road and 12 Schoolhouse Road, **Tax Grid Nos. 6467-03-070291 & 077325**

Applicants wish to do lot line adjustment as indicated below:

- Grimaldi's parcel of 4.3-acre property will be reduced to 3.3 acres and increase Gili and Marott's property from 1.016 acres to 2.016 acres.

Kirk Horton, Land Surveyor was back and made a recap of the application. He also indicated the variance to Sec. 206-16 which requires that at least 75% of the minimum lot area not be in a wetland, either state or federal, was granted by the ZBA dated 1-25-2024.

Chair Thomas asked questions and comments from the board.

Mr. Auspitz indicated the letter from the neighbor asking the board to condition the lot line adjustment about development restriction. The neighbor wants this one acre lot at issue to remain perpetually undeveloped.

Mr. Auspitz asked Mr. Horton if the property owner has current plans to develop the land. He commented that he understands that this parcel is in the flood plains and is governed by the authorities.

Mr. Horton responded that to his knowledge, the property owner has no intention of developing this area. He noted that this area is not buildable given the wetlands.

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The board had a lengthy discussion about the matter. Mr. Auspitz doesn't think that the board should encumber the property at this time. If this issue comes up in the future then the neighbors and the governing agency/board can deal with it when it comes up.

Chair Thomas echoed the above comment. He remarked, "It's premature!"

The board passed a resolution.

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

**WHEREAS:**

1. Applicants Lan Gili and Morton Marott, who own 869 Hollow Rd. (6467-03-070291) seek to purchase one acre of land from the adjacent landowner, applicant Christine Grimaldi, of 12 Schoolhouse Rd. (6467-03-077325). The purchase would reduce Grimaldi's 4.3-acre property to 3.3 acres and increase Gili and Marott's property from 1.016 acres to 2.016 acres. They seek a lot line adjustment, pursuant to Section 250-95(K) of the Zoning Code, to facilitate this transaction.
2. The properties are in RH and H zones, where the minimum lot size is one acre. Thus, the size of the proposed lots is acceptable. Previously, we found that the proposal appears to violate Section 206-16(C) of the Subdivision of Land Code which requires that at least 75% of the minimum lot area not be in a wetland, either state or federal, and that a variance was required. We made a positive recommendation to the Zoning Board of Appeals with respect to such a variance. On January 25, 2024, the ZBA granted the variance, subject to approval of the lot line adjustment.
3. The Planning Board has received a letter from owners of a neighboring property asking that as a condition of approval of the lot line adjustment, applicants be required to encumber as of record the one acre at issue to require it to remain undeveloped. No development of that acre is proposed. Indeed, applicants sought a waiver of the requirement that they show wetlands on their map on the ground that no development was proposed. We rejected that request on the ground that it was equivalent to a variance, hence necessitating the proceeding before the ZBA. The ZBA's resolution also expressly references the fact that no building is proposed.
4. We conclude that it would be premature to require applicants to encumber the one acre in question at this time. Applicants again stated before us on Feb. 6,

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2024 that they do not intend to develop that part of the property at this time. If, in the future, any such development is proposed, the applicable authorities, including this Board, the ZBA and the MCEI, can deal with the issue in light of a specific proposal. Nothing we do here today with regard to this lot line adjustment should be considered, one way or the other, as indicating views on any future development of the property.

**NOW THEREFORE BE IT RESOLVED** THAT the Planning Board hereby approves the requested lot line adjustment, subject to payment of all fees.

Seconded by Mr. Ferrini,

**Discussion.** None.

All Aye, Motion carried, 6-0.

**Krolak Non-Hosted Short-Term Rental Renewal** – property located at 1579 Centre Road, **Tax Grid No. 6469-00-323455.**

Applicant seeks to modify the condition of the original STR approval in renewing the Non-Hosted STR.

Ms. Krolak was back before the board in regards to the condition of her renewal. She explained that the original agreement that he had with the MCEI was about privacy plantings instead of additional fencing. She noted that the decision to put in additional fencing was made during her absence. The fencing that was installed on the property meets safety and the addition of two section panels are recommended for privacy reasons only. She stated that she is proposing privacy plantings for these two sections instead of the fencing.

Mr. Newman stated that Ms. Krolak asked to modify the original condition of the Short term approval. The renewal is contingent about the installation of the remainder of the fencing. There are 3 sections of fencing and this is now the 3rd phase. He noted that the additional fence is part of the original condition.

Ms. Krolak remarked that she would rather see plantings than fences.

Mr. Auspitz asked Mr. Newman about his opinion. Mr. Newman responded that the fence makes a perfect block for visuals but he also agreed with the applicant's assessment that the fence can only do so much to protect anybody from going down the very steep slopes. People can still walk around in the same way they can walk around the plantings. That is up to the board. He doesn't think it adequately addresses the safety concern without requiring the entire property fenced in which is unrealistic.

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Ms. Krolak said that her window's visual is looking at the sky and the trees. She has to go outside and look down in order to see her neighbor since they're down the hill. Two sections of expanded fencing will block views of the sky and trees from that entire side of her house, while only one section is needed to completely obstruct the view of the neighbor's house. She commented that she's not sure if fencing would really quiet her neighbor or make them happy. She feels that there will be more additional arguments about this fencing and at what point does this end. She noted that she would prefer looking at the trees rather than the fence.

The board exchanged opinions about natural screening.

Chair Thomas asked the applicant about the details of the proposed plantings. He asked, "Are you proposing to plant mature trees?" What is the height?

Ms. Krolak responded that these plantings/trees will be bigger and wider over time.

Chair Thomas stated that these trees should not be less than 6' tall and should be planted at the right season in order to be healthy.

Mr. Bonanno asked the board if they need to get the comments from the public again since this is a modification of the application. Chair Thomas responded that they don't need to re-open the public hearing since this is just a renewal.

The board had a lengthy discussion about the kind and height of trees to be planted and agreed to renew the Non-Hosted STR subject to receiving a screening plan from a specialist about the kind of trees. The MCEI to inspect the trees and the renewal is rescinded if trees are not planted.

Mr. Auspitz motioned that the Town of Clinton Planning Board approves the following resolution in the matter of Krolak d/b/a Centre Road Realty LLC NonHosted Short Term Rental Renewal on property located at 1579 Centre Road Tax Grid No. 6469-00-323455.

**WHEREAS:**

1. Applicant Heather Krolak dba Centre Road Realty LLC seeks to renew, pursuant to 250-69.1 of the Zoning Code, a special use permit for a short term rental for her property located at 1579 Centre Road in the Town of Clinton (#6568-00-360330), which was granted subject to certain conditions set forth in the Planning Board's resolution dated Oct. 18, 2022.
2. No complaints have been received about this property according to the

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Zoning Administrator. However, a neighbor has raised a series of concerns regarding privacy, visual access, danger to visitors from the steep slopes at the edge of the property and other matters, which were discussed with the ZA by emails which were in turn passed on to the Planning Board.

3. The ZA has inspected the property and confirmed that, as of Nov. 3, 2023 the first two conditions of the 2022 resolution, construction of a 24' fence for privacy and safety and confirmation by the ZA that the goals of visual privacy and lodger safety have been met. Applicant has requested that instead of additional fencing as proposed by the ZA in 2022, we permit more expensive and slightly larger vegetation as further screening.
4. Applicant states that this is her home and the vegetation would be more attractive to her. Because the change is minimal and consistent with the purpose of the prior resolution, we agree.
5. The other conditions for renewal, such as maintaining insurance on the property, have been met.

***NOW THEREFORE BE IT RESOLVED THAT*** the Planning Board hereby grants renewal of applicant's special use permit to operate a short term rental, subject to the condition that evergreen plantings at least 6' tall at the time of planting be substituted for the additional fencing referred to in the 2022 resolution. Applicant is to make a timely proposal in this regard to the ZA and the project shall be inspected by the ZA upon conclusion.

**MAXIMUM NUMBER OF LODGERS PERMITTED: 6 adults**

PERMIT REMAINS IN EFFECT UNTIL ONE YEAR FROM THE EFFECTIVE DATE (SEE SECTION 250-69.1D(4) FOR ANNUAL RENEWAL PROCEDURE)

Seconded by Mr. Thorpe,

**Discussion**. Chair Thomas suggested getting a map showing the location of the trees.

All Aye Motion carried, 6-0.

**Wolpe Non-Hosted Short Term Rental Renewal** – property located at 150 Kansas Road, **Tax Grid No. 6369-00-830177**.

Applicant seeks renewal of Non-Hosted Short Term Rental.

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The applicant was not in attendance for this renewal. This is a straightforward application and there were no changes nor complaints received. Home Inspection passed and is on file.

The board passed a resolution.

Mr. Dolan motioned that the Town of Clinton Planning Board approves the following resolution for a Special Permit renewal application for a Non-hosted Short Term Rental as requested by **Catherine Wolpe** on property located at 150 Kansas Road, Tax Grid No. 132400-6369-00-830177.

Whereas, the Town of Clinton Planning Board has received an application for renewal of a Special Use Permit from Catherine Wolpe for the purpose of continued use of her dwelling located at 150 Kansas Road in the Town of Clinton as a Non-Hosted Short-Term Rental pursuant to Section 250-69.1 of the Zoning Law; and

Whereas, the subject property is identified as tax parcel number 132400-6369-00-830177 and is located in the AR3A Zoning District; and

Whereas, the Zoning Administrator has inspected the Dwelling Unit on 1/15/24 and certified that it remains in compliance with permitting requirements set forth in Section 250-69.1 for use of the Dwelling Unit as a Non-Hosted Short-Term Rental and that there are no known zoning violations or complaints on the property after items completed by 1/30/24; and

Whereas the applicants have provided a Host Liability Insurance certificate providing \$1,000,000 liability through Airbnb Inc; and

Whereas, the Planning Board has determined that the dwelling shall be used as maximum 2 bedroom unit and number of Lodgers allowed shall be 4 and the maximum number of daytime visitors on the property shall be 4;

Whereas, the Special Use Permit renewal 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 to Section 250-69.1D(4), no later than the anniversary of such issuance; and

Whereas, the applicants shall ensure that the Dwelling Unit complies with the requirements Section 250-69.1 at all times while it is 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



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Whereas, the applicants have provided the name and contact information for 2 local individuals: Julie Staley and Larry Komenda, that the renters can contact in the event the owner is away from the area.

Whereas, as long as all applicable fees have been paid;

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

**MAXIMUM NUMBER OF LODGERS PERMITTED: 4**

PERMIT REMAINS IN EFFECT UNTIL 2/6/2025 (SEE SECTION 250-69.1D(4) FOR ANNUAL RENEWAL PROCEDURE)

Seconded by Mr. Bonanno,

**Discussion.** Mr. Bonanno asked the MCEI if there is any complaint received or violation on the property. Mr. Newman responded, "None."

All Aye, Motion carried, 6-0.

The board agreed to take a break at 6:43 pm before proceeding to the public hearing.

The board reconvened at 7:02 pm.

**PUBLIC HEARING:**

**Medical Arts Sanitarium Inc. d/b/a Cornerstone of Rhinebeck Site Plan & Special Use Permit Application** – property located at 73-93 Serenity Hill Road, Tax Grid Nos. 6469-00-531763 & 617725.

Applicant seeks Site Plan and Special Permit retroactive approval for an increase in residential population for its Alternate Care Facility pursuant to Section 250.31 (B)(5) (Alternate Care Facility) of the Town of Clinton Town Code.

Also present were Shane Egan, town attorney and Elizabeth Axelson, town consultant.

Lee Lefkowitz, on behalf of Jodi Cross from Zarin and Steinmetz, Warren Replansky, Kyle Bardwell, PE from Labella Associates and Caren LoBrutto all appeared on behalf of Cornerstone.

Chair Thomas laid out his procedural comments about this application. This is basically a continuation of the public hearing that was opened previously. He noted that the board will not be voting on the application at this meeting. The board will have to consider

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whether to leave the public hearing open or at least the record, for written submission open until the next meeting.

Chair Thomas commented that it is helpful if the speaker identifies himself but is not required if chose to be anonymous. Public comments can also be submitted in writing or via email to Ms. Campbell. All comments should be directed to the board and not to the Cornerstone representatives or the public. He encouraged everyone not to speak more than once unless everyone has the chance to speak. The public are welcome to supplement their remarks by submitting written comments. He also asked the public not to interrupt the speaker or audibly react to their comments whether they disagree or not. Be respectful and be civil.

Chair Thomas noted that the board is fully aware of the type of facility that Cornerstone is. He indicated the history and number of previous meetings including the legislative proceedings and the zoning issues that have been discussed and debated over the years. He underscored that the Planning Board is not a lawmaking body. They are bound by the prior decision of the Zoning Board of Appeals and the Town Board comments addressing the planning issues before the board including but not limited to whether or not the requested permit allowing expansion to 99 beds from 68 should be granted. He opined that the comments on the site plan in regards to what terms and conditions if any should be imposed in a special permit, if one is issued, will especially be helpful to the board.

Chair Thomas motioned to re-open the public hearing, seconded by Mr. Auspitz, all Aye, Motion carried, 6-0.

Lee Lefkowitz introduced his team and gave his introduction. He explained that this is a retroactive approval of an increase in the patient capacity as well as to memorialize conditions that have been existing for almost 18 years. In 2006, the capacity of the beds was increased from 66 to 96 beds and then again, 96 to 99 in 2016. He noted that there was no construction or increase in the footprint to accommodate that increase in capacity. No physical changes in the facility or site since Cornerstone took over and none are proposed today except for the minimal boundary line encroachment that the board has asked them to address as well as some screening that they are putting on. They are not seeking to increase additional beds over the 99 that have existed for years. Mr. Lefkovitz reiterated that Cornerstone is solely seeking retroactive approval for what's essentially been the conditions for the last 18 years.

Mr. Lefkovitz addressed some of the extraneous allegations, (as he described) to dispel some misinformation about Cornerstone. He stated that Cornerstone did not increase its capacity to 99 unilaterally. This was not done under cover in darkness. He indicated the extensive application and approval process that Cornerstone has gone through with OASAS and state licensing to increase its capacity. They also obtained approvals from

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the county that is subject to monthly water testing of the groundwater well as a public water supply.

Mr. Lefkovitz stated that Cornerstone admittedly did not get approval from this board and this is the reason why they are before the board. He commented that Sec. 250.31 requires this board not just to reconsider site plan and special permit criteria but primarily whether the increase in 2006 resulted in any significant adverse impacts of the surrounding area. Based on everything they submitted so far, Mr. Lefkovitz opined that the increase did not result in such a significant additional impact. He discussed the board's and public concern about the potential impacts on the water quality and the Silver Lake concern regarding substances of waste water migrating into groundwater EMS usage and safety. He defers the details of that matter to Karen. He noted that Cornerstone ceased operation and any use of the lake in 1997. There is no evidence that any use of the facility has an impact on the lake quality. No physical changes to the facility or properly occurred with the increase in beds that could impact the lake water quality. Septic is approved to accommodate the capacity and water quality is tested monthly.

He also indicated the documentation that they submitted in December that concludes that any degradation to quality is likely caused by failing septic systems serving single family homes. He added that they also submitted documentation from a hydrogeologist that demonstrates that wastewater from the septic system does not find its way into the surrounding well due to the topography. They also provided a policy that's been implemented by Cornerstone on how pills, liquids and control substances are neutralized by a drug buster disposal system and don't find their way into the waste waterer much less into ground or drinking water.

In regards to EMS, Mr. Lefkovitz indicated that data they provided from foil requests demonstrating that there's been a steady increase in EMS usage over the years across the county. He underscored that there's no correlation between Cornerstone's increase in 2006 and an increase in EMS usage. They also submitted a letter dated January 30, 2024 where they indicated an agreement with Northern Dutchess Paramedics. Cornerstone has already directed their staff that whenever possible, calls should be directed to Northern Dutchess Paramedics and should not call or try to minimize the number of 911 calls although 911 will still be used as necessary. This will cut down on the West Clinton Fire District being dispatched by 911. There have been 0 or one call to 911 in December ever since that policy was implemented.

Mr. Lefkovitz addressed the two issues that were raised by the neighbor's legal counsel in their August 7<sup>th</sup> letter. This was covered in their September 22<sup>nd</sup> letter. He stated that an issue was raised that there are two parcels on the site plan that includes the vacant parcel. He noted that the reason why that was included is because the other parcel is what allows access or entry to the primary parcel. The board directed them to include

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the other parcel to the site plan. The second issue was about Building B on the site plan that is hardly in use. This used to be a full time residence but now being used for temporary lodging of staff in bad weather or for occasional training. It's an accessory structure. He commented that this doesn't change the character of Cornerstone. This has been like that for years. He asked the board to close the public hearing at the end of this meeting to be able for them to move forward.

Tony Morales, Cornerstone Senior Vice President spoke and touched on safety security. He described when patients arrived on the premises and how they go through the security process. Patients get check into the first cottage which is part way up the driveway. All potential patients are screened by their medical team to ensure they meet the criteria for admission. He noted that patients are thoroughly screened that includes body searching before they are allowed into the facility in keeping the community safe. Each patients have orientation that includes the rules and boundaries of the property. Headcount is conducted during breakfast lunch and dinner and patients are typically in bed by 10pm Lights are out at 11:00 pm and bed checks are conducted by staff every two hours starting at midnight. He indicated the motion sensor that the facility has to alert them of traffic coming up and down the driveway. There are 27 cameras monitoring the property 24/7.

Mr. Morales stated that he's been with Cornerstone for 19 years. There's a lot of emotions and feelings out there towards Cornerstone rather than the actual issue which is the increase in the number of beds. He addressed the perception about Cornerstone being a bad neighbor. He expressed his willingness to listen and address the concerns and whatever problems they bring to the table. He will leave Ms. Campbell his contact info. This meeting is about allowing the number of beds to remain at 99 rather than reducing it back to the pre-existing non-conforming use number of 68. He read a letter from a potential patient number 69 that says Cornerstone is a safe place and a place of healing and how this country is filled with so much pain, pressure and so many different drugs. How the country needs more Cornerstone and not less. Mr. Morales indicated the letters from patients number 70 to 99 that they will be facing and forced to say –"Sorry, I can't help you!" He commented that the decision in this matter is not just about the retroactive approval of 31 beds. It is also the reality of treating and impacting hundreds of lives per year. He thanked the board.

Jennifer Scofield, Cornerstone Clinical Director and Vice President of Clinical Services took the floor and said that she started as a clinical director in Cornerstone in 2009. She indicated what they have heard from some of their neighbors that there is a little question that substance abuse is a societal problem and that treatment is an important valuable service to addicted individuals. Ms. Scofield remarked and said that the question here is whether or not they should be allowed to retroactively obtain permission to help 99 people. They have been providing treatment to this number of people since her early days in Cornerstone. A question also appears to be "How

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treating this number of people impacts their neighbors and the concern about environmental impacts, safety and property values?" Ms. Scoffield said that she is not going to discuss property values in comparison to human lives. She discussed how Cornerstone's program serves the community. Addiction is a family disease. Each person they help is part of a family system. These patients have loved ones who have entrusted them to their care. She described the patients that they helped who are now clean sober, back to their families and were able to continue their education and get a degree. Some of these patients are now their landscapers, electricians, plumbers, etc, and serve them dinner on Friday nights. She indicated the programming they provide includes individual counseling, group therapy, family counseling, educational lectures, art therapy, yoga nutritional guidance, nursing and medical care, twelve-step meetings, mindfulness and meditation and many sober recreational activities. She is proud to do the work that they are doing and continue to do so. She also indicated the letter from the NYS Senator (Jake Asby) expressing strong support of their proposal.

Caren LoBrutto, Senior Planner from LaBella PC for Cornerstone spoke and indicated the Planning Board site visit during summer of last year. She said that they are proposing evergreen fencing. They have made landscaping improvements on behalf of their applicant. Since then, a discussion was made with the board and town consultants that additional landscaping and fencing are required. Ms. LoBrutto said that they are proposing evergreen landscaping along 400 linear feet with fencing as well. She described the proposed evergreen as deer resistance and native which speaks to the natural resource concerns about potential bog turtle habitat. She added that there will be no improvements externally nor expansion except for the limit of the ground disturbance related to removal of encroachments that was already discussed.

Chair Thomas solicited questions from the public.

Erin, a neighboring property owner shared her story about a family and friends who were once heroin and alcohol addicts and are now sober. She agreed that rehabs are lifesaving. Without them, she commented that she would not have a family. She said that a lot of times they get a lot of push back from the community at the Cornerstone that they don't want them there. She negated the statement and remarked that is the last thing they want. They love Cornerstone to be there but to follow the same rules that they have to follow. They've been asked by the Planning Board to come to this public meeting with solutions and suggestions rather than complaints. She indicated the suggestions such as test the water and hire an independent company to test the water that is leaving the Cornerstone's septic system moving into their leach field and down into the Wappinger Creek. Cornerstone sits on a very low density Conservation Zoning District. She commented that as soon as the new zoning laws are complete, Cornerstone will be reclassified by this town as sitting in an Aquifer Protection Overlay district. There is no other place in this town that has more protections than this district. She suggested doing this right to avoid future liability and for everyone's good health.

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Erin also asked to find out how many gallons of water per month go through the water system of Cornerstone. She commented about the Cornerstone representative's response to the board member's question at the Cornerstone workshop last month about the kind of testing that has been done for the wastewater on site. Cornerstone Representatives doubted that such a test could be run as a community. Erin said that they did some cursory outreach and found that you can test for fentanyl, methadone and other trace amounts of substances used in a daily detox center. Carry Institute of Ecosystem Studies in Millbrook does this testing. These companies test for the elements of a variety of things in wastewater including Fentanyl and Methadone. She commented that Methadone when in diluted form and comes into contact with disinfectant such as bleach creates cancer. She indicated the potential liability that the Planning board faces if failed to research and test. She underscored that they are not saying that Cornerstone septic is bad. Maybe it is good. She also questioned if the septic system in Cornerstone can handle everything that is going in there. She asked, "Would a wastewater treatment plant on the site be able to provide the correct levels of protection?" Nobody knows. She asked to test the water independently. She thanked the board.

John DiLorenzo, town resident and Cornerstone employee said that he is also a recovering addict. He spoke good words about Cornerstone. They help a lot of people including himself. He wouldn't be standing in there in front of so many people if not for them. He questioned the proposed decrease in the number of beds. He asked, "Why would they go back sending 30 people away?" He wouldn't know what he would have done to himself if not for Cornerstone. These people are getting help and returning back to their families. He questioned the proposal about the decrease in the number of beds and turning people away due to septic concern. He remarked, "We're talking about lives!" Where is the compassion? Cornerstone is there to help when no one else does. He thanked the board.

Randie, neighboring property owner, spoke about her late husband who was treated at the Cornerstone and what he came back to was not his family but his addiction. She asked the rate of recidivism at Cornerstone. She also commented about everybody's talking about the numbers from 66 to 99. She asked, "How about the people that cycle through constantly. She commented that she knows everybody. Their heart and soul is in this place but there are many sides to this coin. She underscored that they live around the lake. They should have considerations for their safety and privacy. She also commented about the value of their homes. Everybody has to compromise and everybody has to give away. Randy said that she also wanted to address the elephant in the room. Nobody ever talks about the sale for \$33 million. She remarked that no legitimate company would buy a little place like Cornerstone with 99 beds let alone 60 beds for that kind of money if they weren't planning a huge expansion. This is just the beginning! They have very deep pockets! She asked the board to take into account the \$33 million for 99 beds. She ended her comments with, "I don't think so!"

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Doctor Eric Kreer who lives in Westchester County, recently joined Cornerstone as a counselor. He expressed full support of the Cornerstone including the unfortunate and ever present need of this type of program, not only in Rhinebeck but globally. There are not enough quality oriented, safe and effective treatment programs such as Cornerstone to meet the growing demand. He commented that they cannot turn their backs on these patients. He also commented about the remark about patients wandering off the property into the town or around the neighborhood. There simply is no reason for them to do so. Professional staff supervise the buildings along with the robust security in place to ensure no departure from safety either for the patients or the staff and the community. He underscored that they have been exceptionally good neighbors. He asked those in opposition to reconsider their perspective and to open their hearts and minds to the person suffering. Cornerstone is there to provide help. He added that they cannot just dismiss a local program and expect another organization to pick up the slack. Cornerstone has a well-deserved reputation for providing services under the watchful eye of OASAS as a highly regulated operation. Each effort by Cornerstone adheres to the State and Federal laws and is subject to constant scrutiny. He commented that there's nothing to fear in terms of the program getting out of control or causing any threat to the town. They are confident that narrow-minded and selfish thinking will not cloud the judgment of this board. He urged the board to listen to the opposition to secure democracy but rule with reason and sound judgment as to what has been taking place at the Cornerstone property for decades and to pierce through any false logic in terms of risk to the community. He underscored that they have been and are always exceptionally good neighbors.

Anthony Anderson who worked for the mobile crisis intervention team which is overseen by Mental Health of America said that he is the recovery specialist and case manager. They refer a lot of people to Cornerstone. He understands that the neighborhood is affected by it but at the same time, he also sees people die every day. He noted that Dutchess County Poughkeepsie has the highest death rate for Fentanyl in New York State. He also talked about the comment made earlier about recidivism. He said, "If you don't care about life, then let's drop the numbers to Cornerstone." He added that there should be more facilities. It's like when someone has cancer, and you would say, you know what - there's too many people there, let them die! He remarked, "You can't do that!" It's a disease! People need help and places to go. There's not a lot of places for them to go and there should be more. A lot of mental health facilities are closing. He sent quite a number of patients to Cornerstone. Some of them made it and some of them did not. The need for this kind of facility is definitely there. People need more of this place. He commented that Cornerstone is useful to those in need. He understands that it is affecting part of the life of the community. He suggested addressing the concerns instead of saying, "You know what, let's eliminate this!" He remarked, "When you eliminate this, then you're killing people!" He added that people are definitely dying,

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He sees it every single day. He suggested addressing the concerns to make it suitable to the community and keep it running.

Art de Pasqua took the floor and said that he doesn't have a problem with the Cornerstone existence. Water is a big concern if you're operating with 99 patients and let's say 25 staff a day. That is almost 400,000 gallons of water a month! He remarked, "That doesn't even include food service!" Getting an independent view of water tests is very important. He also remarked about the comment that they've been operating at 99. He said, "As a member of the board for many years, the board never approved 99. Cornerstone had been operating in violation. It's a terrible precedent when we go backwards and approve something in retrospect. The board should consider that in doing their review. He hopes that everybody can get together and get this resolved. There's a lot of issues here. He wants to see a resolution. There's a lot of emotions here.

Chair Thomas asked Mr. DePasqua about his thoughts and resolution that he had in mind. Mr. DePasqua responded that he will get this in writing after hearing both sides.

Lady in white with black scarf who refused to give her name took the floor and said that the citizens of the Town of Clinton need a platform to voice out their concerns and to have their questions answered. The town of Clinton Planning Board has allowed the applicant, Cornerstone, two pre-conference workshops in just 2023 alone. She remarked, "That's two for Cornerstone and zero for the citizens!" The taxpayers deserve the same equal opportunity the Cornerstone was granted. She indicated when the town supervisor proposed to make Silver Lake public in 2006, a committee was formed with the members of the public, members of the board and members of the CAC to consider the data points that the public was raising namely the effect that this proposal would have on the lake, the residents and the town's liability. This subcommittee was able to provide scientific evidence that directly impacted the board's decision to not make the Silver Lake public. She stated that they were asking this workshop because the community deserves and is warranted a dialogue with this board. There is no conversation right now. The only option given to the town residents is to share their feelings at events like this or send in letters that nobody reads or answers. She commented that the members of the public were deprived of the exact same opportunity that the applicant had. They have a number of legitimate concerns and interest in a positive outcome. She added that they can be a part in finding a path but they must be given equal voice. She asked that this request be granted in a timely manner. She also asked the board to remind the town supervisor that a good portion of this room pays his salary.

Chair Thomas responded to the comment and asked, "How would a public workshop differ from what they're doing now?" The lady in white responded that there is no dialogue back and forth. Nobody's presenting a question. They were only allowed to



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speak. This is simply a form to let people just express their grievances. She said, "You've got a bunch of lawyers sitting here and there's nobody representing the people except for the people themselves!" It's not fair and it's not how it's done in other towns.

Chair Thomas asked the lady where in the town code that she referenced that provides a public workshop before the Planning board. He asked the lady to send to Ms. Campbell the section of the code that she's referring to. He also asked the lady if she had any questions to the board since he never heard her ask any questions or ask to have a forum. He noted that the people can ask questions so that they can be answered. The people have the ability to be represented by people that can fairly represent them.

The lady responded that the board gave Cornerstone the upper hand. They gave them two meetings of their own. They came here with a swarm of lawyers. She questioned the board. "Who are you representing?" She commented that the board should be representing their residents.

Stephanie Campbell, senior Vice President of Kent Strategic Advisors, national consulting firm who Stephanie Campbell said is dedicated to improving lives of individuals and families impacted by addiction. She indicated her recovery from addiction that led to her full scholarship to Bard College. She thanked Cornerstone for her recovery since Bard College did not provide her the support, care and counseling that she needed. She came to Cornerstone at a time when it was called Rhinebeck Lodge. She indicated the achievements and accomplishments that she had after her recovery from the addiction. She also served as the Director of the New York State Behavioral Health in the New York State Office of Addiction Services and supports OASAS. She expressed gratitude to the gentleman who is working in the mobile unit bringing people off death's door into an incredible treatment program. She commented that in programs like this, it doesn't care if you're from Rhinebeck NY or Bronx. It doesn't care if you have money or don't. It is a rapacious creditor. It takes what it wants. Programs like these routinely received calls from people desperately seeking addiction treatment. She stated that she regularly referred people over other programs in New York State because of Cornerstone's good reputation and testimonials that she heard from the family members. She underscored that New York State is currently in the worst public health emergency ever recorded in history. New York State released preliminary data that showed more than 6,393 overdose deaths in 2022. She stated that's a 73% increase in New York state overdose deaths in the span of the last 3 years. The data that was recently presented by New York State Police at a public Hearing in Albany showed an increase of nearly 30% alcohol rated driving. She also indicated that her 23-year-old daughter overdosed in 2015 and thanked people who are working at Cornerstone for helping her daughter. She hopes that this program will be supported and maintained and not restricted or closed. She asked, "How many of you have loved ones who have the opportunity to find hope and healing?" She was once one of these

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people who was desperate for help. Today, she has a life. She hopes that the Town of Clinton takes the opportunity to demonstrate its support for its citizens and Cornerstone and remain the community model of care.

Ed Wilson spoke and said he has lived here for 10 years. He's been to various meetings and it seems that there's a lot of advocacies for the Cornerstone mission which they don't believe is a bad mission. He commented to the individual stories that were shared earlier that are powerful and compelling and typically get responded to emotionally. It seems that everybody's talking in this meeting about the difficulty in saying no to someone who needs help. He reiterated a number of things that happened historically. The zoning code does not permit the use of rehab facilities in the C Zone district. Cornerstone disregarded notices of violations for many years. They have expanded their population significantly. He remarked, "Of course, they do good with their patients! It's a way of doing business!" He also commented about the high price that was paid for this business. There is a reason why that kind of money is being invested here. He agreed with Mr. DePasqua that they are setting precedence here. The permit that they're asking for is retroactive. This is a very dangerous precedent. He also commented about the comments made earlier about the benefits in treating these patients. Obviously, it places a significant burden to the town and its resources like Sheriffs, ambulance, EMT, Fire Department, traffic, garbage on Milan Hollow Road and so on. Water is the big issue. The approach that has been taken by Cornerstone to persuade us of the benefits of ignoring their violations and giving them retroactive approval has generally been to deny that what they have done has actually happened to beat the community into accepting their operations here, even to sue the town to get into approval submission and changing the law.

Mr. Wilson commented that all the powerful arguments that were heard from the supporters of Cornerstone are mostly their employees. Those arguments repeat the same stories. These people need to be helped. No one disputes that. The question is – Is it 66 beds that the environment can support? Is it 68 beds, 99 or 199? This is what the Planning Board has to consider. He thanked the board.

Chair Thomas asked Mr. Wilson about the solution that he can think of.

Mr. Wilson responded to a rumor that the community was seeking to shut down the Cornerstone. That is untrue. It is a question of "What is the size now?" He thinks that they should go back to whatever they were grandfathered in and the usage. He added that the board will also hear from people about the expansion of the nature of the treatment in this facility. The types of treatments that are being done are potentially much more injurious to the environment. He commented that there's a lot to consider. It's a complex issue which isn't about emotions.

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Kim Baker took the floor and said that she was a drug rehab counselor before and worked in the nonprofit organization. This is a pretty modest little community. Everybody who lives around worked really hard to take care of the lake. She commented that the lake is very sick. She likes to see a proposal that would address this issue. She indicated the increase in the invasive species and algae that invaded the lake in the last ten years. They spent thousands of dollars to clean it but can't keep up with it. They don't know where it's coming from. She doesn't know if the 99 beds have affected it. Stuff is coming down the hill and something is affecting the lake. She wants to see studies done to see what's causing it. She also expressed her concern about the corner of Milan Hollow Road and Bulls Head Road. There are constantly cars and people hanging out there for hours and sometimes all day. There's paraphernalia along the road. She'd like to see the police presence. She doesn't know what's going on out there. She is worried about the kids in the community.

Ms. Baker asked how many Dutchess County residents go to this facility. Are most of these people coming from New York? Are they serving our community (Dutchess and Columbia County)? She wants to know the numbers on this. We sit around and talk about sad stories, whether it's a good facility or not a good facility. She commented that every facility has its problems. Some people might find Cornerstone to be great. Other people might have other stories. That is not the issue here. The real issue here is – "How the extra 33 beds affects the community? If they didn't change the site plan, where did the extra people go? How did they house the extra 33 people plus the staff? You're talking about 50-60 people if they didn't change the facility. She asked, "Are there 3 people in a room?" How many toilets? How many showers? She commented that this is a rural community and they want this to stay rural. She also spoke about the property values, endangered species and the environmental impact. She thinks that there is a plan to increase in the future. Maybe that's not true, but that's what she is feeling. She agreed with Randy if this property was sold for so much money. It doesn't make sense. They are concerned. She opined that what the board decides will set a blueprint for the future.

Brad Cole who has lived on Silver Lake for the past five years thanked the board for hearing not just the neighbors but for everybody in the room. He had never worked in a rehab but he had friends and relatives who were saved through rehab facilities. After the last few years of sitting in these meetings, Mr. Cole said that the issue is about trust. The trust issues have anything to do with anybody who works at Cornerstone and who's sitting here in the meeting. It's more about how the deal went down to permit a retroactive change in the zoning. Around four or five years ago, Cornerstone came before the Planning Board about expanding to 200. Let's say, everybody agreed to a number of 100, for instance, he asked, "is it going to increase in the future?" The concern is – is it going to be 200 or 500 since the town has moved forward to accommodate this. He commented that accommodating this has nothing to do with the amount of treatment that's needed in the world or in our community. He asked the

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board if they are going to come up with an acceptable number, "Is there a ceiling?" Is there something that says, "This is it!" He commented that there is a trust issue. They want to make sure that whatever number they agreed will stay at that number. He pleaded with the board to put a ceiling on that number because the environment cannot handle it. They live here. He asked, "Is there a cap or back stop?"

Chair Thomas responded that the current law limits them to 102 beds. That is the way the current law is written right now

Mr. Cole expressed his concern about the cap. Is this going to be cemented? He remarked, "You might come back and say, --But the law can be changed!" He muttered, "That doesn't give me any comfort!" He punctuated the trust issue.

Chair Thomas said that he's trying to stop this from escalating. If Mr. Cole is addressing his fear part of the equation then he thinks that this goes far from the solution.

Mr. Cole hopes that the trust issue can be addressed. He hopes that the board will cap a number that the community feels okay because that is what the environment can handle.

Mr. Thorpe stated that there's quite a few of them who are new to the board. He said that we all agree that this is a wonderful entity. He asked Mr. Cole to give the board a solution or an idea. Don't accuse the board for something like a kickback. He is new to the board but he has lived in the town for 65 years.

Mr. Cole responded that they need to find a solution, a middle ground. Perhaps they can all sit down and have a conversation, a workshop that might be a little more neighbor centric." Whether it's a water issue or trust issue. They can all focus on these things. He feels that it is a tangible thing as opposed to a complaining session. If they can come back and set up a workshop with the neighbors and discuss four of five solid issues then that would close the gap

Chair Thomas noted that this is a typical format or procedural process they do at the meeting. He agreed with Mr. Cole's suggestion. They are trying to define and address the concern of the community. He asked, "How is the workshop with the neighbors different?"

Mr. Cole responded that they will all be sitting down and having a two way conversation. He noted that the group of neighbors want to have a two way conversation and agree on the agenda of things that need to be researched.

Teresa Matsik, Cornerstone employee, spoke and said that this is not about the 200 people. This is about keeping 99 people. What was paid for the business is irrelevant.

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He implored the board to look at it. This is a place that can help this community and the surrounding communities. He doesn't believe that anyone is untouched by this. It affects everyone no matter what gender, race or class you're in. She agreed that this is a small community. She asked, "If there's a homeless person shooting up on the street, would the community still say, Oh – sorry, we still want 66 beds!" She indicated that she really loves the work that they do. She'd seen people come back to life. She thinks that it's important to provide everyone a second chance.

Christian Fekete took the floor and said that he is an architect and lives by the lake. He doesn't want to get into the emotional thing but asked if there were any environmental studies done. Scientists need to review this document. He expressed strong concerns about the water quality and the environment. He'd like to hear people review the EAF. What happens to the septic system? Are there drugs in the septic system? He also spoke of his concern about the health of the lake. They need to look at the scientific data. He feels that they can all sit down and look at this together. He thinks that this would address the trust issue and all the stuff.

Wendy Adelman who has lived on Deer Hill Road since 1998 said that Cornerstone was already in place when they moved up here. They had no problem moving into the area with a rehab center. They were then and still supportive of Cornerstone overall mission however, the changes in Cornerstone have impacted their lives. Cornerstone went from a dry retreat to an alcohol rehab facility to a drug and alcohol rehab and to the present day drug detox facility. All of these changes were done without any input from our community or the town's knowledge. She commented that part of the problem is there is no communication. She accentuated that there is no communication between Cornerstone and our community. She commented about the Cornerstone's claim that they didn't know that they weren't allowed to increase. She also commented about Cornerstone's action when it declined to increase - to sue the town. Obviously, this is not a rich community so the town gave in and changed the law to allow Cornerstone to apply. Here we are -- everything was dumped on the Planning Board's lap. It is now up to the board to figure this mess out and to protect the community which the board should represent. She noted that the board does not represent Cornerstone. She underscored that the board represents the community. She implores an opportunity to communicate. She responded to the chair's question about what's the difference between standing up here. She commented that many people are terrified to stand up in front of this large crowd to say what they want.

Ms. Adelman said that they want the opportunity to say that they are terrified that these drugs could go into the land and to the water. She echoed Aaron's comment about the water quality testing companies who specifically test for opioids. She commented about the Cornerstone monthly water test report. They don't test for opioids. Ms. Adelman said that these are specific tests that should be required. She wants to have a discussion with the board and representatives from Cornerstone. Nobody says that they don't want

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to help these people. This is a small community. She asked, "Is this community the place to house 99 patients?" She responded, "She doesn't know the answer to that!" She expressed her strong concern about the amount of drugs that can go into the water, septic and leach field. She talked about the potential poison downstream. They do not know that unless they can all sit down as a group to ask these questions and get some answers. She pleaded with the board to have a workshop with the neighbors. She added that Cornerstone is still in violation. She also commented about the no screen on the northern border of the property. She talked about Cornerstone's report about screening and adding just a couple of trees. She doesn't necessarily trust them to put in the trees that will accommodate the difference in elevation. She noted that the neighbors' area is much higher up. They look down at the Cornerstone. They need to put a berm and put trees on it to raise everything. She commented that they can still see them and waive hello to their patients. They need to sit down and discuss together. They have a workshop.

Chair Thomas explained that he was just trying to envision the kind and format of the workshop. Who's going to be there and how is it conducted and whether this is something that the board is allowed to do. He indicated no problem with it. It's more like a mediation or discussion. The kind of comments that everybody is making is really helpful. He commented that if the board can do it then they would certainly do it. The board wants to resolve the issues as much as everyone else.

Ms. Adelman commented that it's hard to have confidence when they felt that they were sold out by the town board when they cave in. She indicated the community's concern about the law getting changed again.

Mr. Auspitz said that it seems that everybody's concerned about the water. This concerns the board. The report that the board gets from Russel Urban does not seem to address the problem. Water runs downhill and therefore folks who live uphill will not have their wells affected but it doesn't address the impact on the aquifer on Silver Lake which are all downhill. Mr. Auspitz stated that the other problem that he's hearing is about the trust issue. He asked Ms. Adelman if she's talking about trust issues between the community and Town Board, is it with Cornerstone? He said that if she's talking about a trust issue against the Town Board, then there is an upcoming election for that. One of the conditions that the board can impose on any increase is to require regular meetings between Cornerstone and the community to discuss specifics of problems that inevitably are going to continue to arise.

Ms. Adelman said that she agreed with Mr. Auspitz. This is not an issue that just came up. This has been going on for years. Cornerstone submitted a proposal many years ago to increase the number to 200 patients and they were proposing to build all sorts of things. The neighborhood freaked out and that's how they decided to form a little

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committee to voice out their opposition. She said that they tried to communicate with Cornerstone.

Randie asked, "Who is Cornerstone?" Who do we sit down and talk to?" Who do we work things out with the guy who just paid \$33 million?" Who do we talk to?

Jennifer Scoffied responded that she is the person to talk on behalf of Cornerstone.

Randy asked, "Who's your boss?"

Chair Thomas stopped the exchange and said, "This is not the way we're going to do this!"

Ms. Adelman said that there were so many issues they like to talk about like noise, pollution, safety, etc. She hopes to have a sit down in an informal setting with some of the board and Cornerstone. She agreed with Randy's concern. They don't know where the back stops at Cornerstone. Nobody gives them facts. She commented that Cornerstone should be the one doing the research and not the community. They are the ones who want to increase the number of beds and not the neighbors.

Chair Thomas commented that Cornerstone would have to agree to it. He said that it would be great if everybody comes back with a negotiated solution. That would be the best possible outcome for everybody. He indicated no problem with it if it can be organized and run in a way that is productive. The whole board cannot be there. He also agree that the Planning Board can request Cornerstone to research the facts.

Katarina Maxianova spoke about the trust issue. She indicated her conversation with Michael Purnell in the past. She thought they had a good conversation and open Dialogue. They exchanged email and discussed solutions like installing privacy trees. Mr. Purnell said that per their legal counsel, Mr. Replansky, it is not possible. Ms. Maxianova remarked, "That was the end of it. He said that he was going to get back to her in a few months but he never did. She questioned who is the person they can trust. She doesn't know who Cornerstone is. She doesn't know who to trust.

Ms. Maxianova commented about Cornerstone's submission. The data they used in their December report is from 1999. It's not recent. She remarked that she doesn't know if she can trust the good faith of this research. She questioned the septic capacity that was done in 2021 and 2022. She said that nobody knows what happens when they have 99 patients because nobody has seen data with that capacity usage. She is open to

looking at real data and real conversation. She underscored that she doesn't know if she can trust the people who're sitting on that table (referring to the Cornerstone team).

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Ms. Maxianova stated that one of the items that they've talked about is about testing and inspection of wastewater. She noted that this is something that they definitely focus on. She also indicated her conversation with David Bochner. She commented that is also not a good one. She hopes to have a conversation with a group of people who she can trust. She also wants to know about safety procedures. They have small kids. She said that they see all the patients. They see the staff. They hear all the conversation. FedEx sometimes walks from their house to Cornerstone cutting across their property since it's closer. The delivery guys don't even bother going down Milan Hollow Road since it's closer to walk across the land. She asked David Bochner 3 years ago about patients who are sex offenders. She noted that they didn't see any report of sex offenders in the area back in 2011 when they moved in the area. She noted that based on the registry today, there are four registered sex offenders in Cornerstone. She expressed strong concern about safety. She has small kids. Patients sometimes wander around on their own. She wants to know when sex offenders are in the area. She understands that they also need treatment but they need to be aware.

Ms. Maxianova discussed her other concern which is setting precedence. She expressed her concern about density. She remarked, "99 patients and 50 employees are like 5 people per acre!" We have other projects in town that have 200 acres. She asked, "Are we saying that the project can have a thousand clients?" She remarked that this is going to set the floor for any future development. Is this the right use, the right density for this particular district?

Mr. Thorpe asked, "Who do we trust about this data? Do we need an independent person for this? Cornerstone has documentation of water and security. He wonders who the board should be listening to make everybody happy.

Ms. Maxianova responded that there should be independent research. Somebody that the board specifically picks. In terms of security, she discussed Randie's late-ex husband Barry's stay at Cornerstone. Randie was concerned since Barry lives 2 minutes and he can just come home. She also shared a story about two separate guys run past her house. It seems that they were looking for cigarettes or trying to get away. She informed Cornerstone and she was told that they were sending somebody. She noted that no one ever came and nobody ever addressed it. She reiterated her strong concern about safety. It's impossible to secure the site unless you lock it down. Nobody should be locked down. She remarked, "If you have 60 people, then it's easy to keep up with them. She thinks that they need to do a little more back and forth questions. Maybe they should nominate people that they trust. She also commented about the Cornerstone new ownership. She commented that this new owner is an elephant in the room. Per OASAS record, this gentleman is not the owner of Cornerstone. She doesn't know what to think and who to trust. She also asked about the special permit renewal process.



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She asked, "They don't get a forever permit, right?" Omega and Short Term gets renewed every year. She hopes that they do conditional approval with ongoing renewal permit.

Chair Thomas indicated Mr. Dingee's presence who is Chief of the West Clinton Fire District to give an overview in terms of Emergency Medical Situation. The board has some questions about EMS volume and how Cornerstone uses EMS.

Mr. Auspitz asked Mr. Dingee to explain the process of how it ends up on their plate when there is an emergency call from Cornerstone.

Mr. Dingee spoke and said that if NDP has no units available then West Clinton Fire District gets dispatched and that is if they are available since they could be on another call. It's at the discretion of 911 who they chose to dispatch. They're hearing a lot of non commercial agencies available which are ALS (Advanced Life Support) units. ALS is a paramedic that is a private company.

Mr. Auspitz asked Mr. Dingee, how much of a burden is there on the fire department because of calls from Cornerstone. Do you feel is it easy? Is it hard?

Mr. Dingee responded that it's a tough call to answer. You can't put a number on a VMS call like Cornerstone. He stated that they have frequent flyers with no names and no address. For example, they responded to one residence 50 times last year, sometimes two or three times a day. He commented that he doesn't see a burden at this particular time. He noted that the number of VMS calls in the Dutchess County as a whole is probably 21. EMS is the biggest thing in Dutchess County right now. Every fire department is being affected by this. He explained the details of the process of EMS and EMT. He said that most of their EMTs work for commercial agencies so they are coming from one job to another. He believes they had a total of 424 calls last year. This is just for West Clinton FD and not including East Clinton FD. There are around 160-170 fires. He commented that the EMS is outweighing the number of fires.

Chair Thomas asked, "How many calls are from Cornerstone?"

Mr. Auspitz explained that they are concerned about the impact to the Fire Department.

The panel had a very lengthy discussion about the matter. Mr. Dingee explained that when Cornerstone dials 911, it goes to NDP, if they don't have a unit available then the Fire Department is the back stop. It's a priority 1,2,3 or 4. The lower the number, the higher the level of medical emergency. If it is a priority at Cornerstone or anywhere else, they have an ALS unit available. He added that at times, this does not happen so they will get a fly car. A fly car is a solo paramedic driving an SUV Ford explorer that comes to the scene. They have to get the patient to whatever location as long as an ALS unit is

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requested. He gave details of how the process works when someone calls 911. There's a protocol.

Mr. Auspitz asked, "So the fire department was called because there's no commercial agencies available?" Mr. Dingee responded, "Yes."

Mr. Auspitz asked, "Were you able to handle all the calls more often than not or is it the other way around and he has to scramble and send the call somewhere? Mr. Dingee responded that he needs to pull some data to answer this question. This is a tough question.

Chair Thomas asked Mr. Dingee, "Have the number of calls from Cornerstone increased over time?" Mr. Dingee responded that he will gather some data and get back to the board. He doesn't want to give an inaccurate answer.

Tony Morales, Sr. VP of Cornerstone said that as of December 13 of last year, they no longer call 911 anymore unless it is an extreme emergency. They made an agreement with the Northern Dutchess Paramedics that they can call them directly so that they are not putting any burden on the Town resources. There had been zero to maybe one 911 call since December 13.

Mr. Morales addressed the issue about the garbage on Milan Hollow Road. He stated that he instituted that they go down there once a week to do a clean up whether the garbage is theirs or from somebody else who drives by. He noted that they found a car seat last week that didn't belong to Cornerstone. They cleaned it up to be a better neighbor. He vows to continue doing it and clean it up. They will monitor the area.

Chair Thomas said that one of the comments from the public are people parking their cars out there and as they heard, sometimes, employees smoking cigarettes on their breaks or people visiting the facility since it is a smoke free facility. He asked if they can possibly have a smoking designated area.

Mr. Morales responded that health facilities are not allowed to have smoking areas. He said that they are okay with people parking on the side of the road and employees smoking out there during their breaks. He vowed that they will continue to monitor and clean that area. He underscored that he wants to improve the relationship with the neighbors.

Mr. Morales said that he wants to build the trust that the neighbors are asking for. He also addressed the comment about who's the owner and partial owners of the property. He noted that Thomas Puzo is part owner and Joel Landau is the owner. Mr. Puzo has been the president, CEO and an owner operator since 1996.

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Tom Puzo took the floor and introduced himself. He's been with Cornerstone for almost 40 years now. He's been an owner operator since 1996 when Rhinebeck Lodge was purchased. He is the president, CEO and owner operator and is responsible for the operation in the Rhinebeck and Manhattan facility. There's been a lot of misinformation about ownership on this property. He commented that this can easily be checked by calling an OASAS or FOIL request. They can also supply their licenses which he was sure that was already submitted to the town in their prior submission showing who the owners are. He said that the lady who spoke earlier about ownership was misinformed. He reiterated that this info can easily be checked by simply calling OASAS.

Kyle Bardwell from LaBella Engineering spoke and addressed some of the public concerns in regards to the water and wastewater system. In order to facilitate the size of this system, Cornerstone applied to the Department of Health and DEC in 2005. They went through a rigorous process with the Department of Health for facilitating a septic system and a water system that would treat 118 patients and 47 staff. He noted that this came out to a very specific flow that they were allowed to operate with 9,555 gallons per day. The system was approved and certified by the Department of Health in 2006. This approval was sent to the town building department. In regards to degradation of Silver Lake, Mr. Bardwell said that the Town of Clinton came up with a comprehensive plan in which they had experts come in and look at some of the reasoning behind the degradation of the lake. He opined that actual degradation of the lake is likely due to small lots that border Silver Lake with failing septic systems. He underscored that there's no requirement for testing the Wastewater system. It's important to note that there was definitely a proposition to the Department of Health and the DEC that this operation would be used for this many people.

Mr. Auspitz expressed his concern about substances that might go in the system and the lake.

After exchanging opinion, Chair Thomas stated that the board will require the testing of the wastewater system as part of the permit.

Phil Adelman, Wendy Adelman's husband, spoke and said that the 66 number of beds when they moved up here in 1998 seems to get along with everyone. It seems that cigarette butts, EMT issues, environmental impact, etc are the result of the increase in the number of beds. Maybe the town felt that the 66 beds ceiling was appropriate for the size of the space when Rhinebeck Lodge applied that time. The fact that this is in the rural area and in the midst of a residential neighborhood, Mr. Adelman said that it is up to the Planning board to set up the ceiling. He commented that 66 is the number that the neighbors can live comfortably.

Dahlia, therapist and Cornerstone employee, spoke and indicated her experience in mental health and rehab like Jacoby Hospital, Mt Sinai, and Kings County Hospital. She

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indicated some of her experiences about the patients who came back to life after an overdose. She asked, "if this is your sister, your mother, your father, etc. – Would you send them out of the country where they have a variety of mindfulness, staff that treats them like a family, nice breathing air, or would you want them to stay in a cold and narrow sterile room overlooking a parking lot. Cornerstone has values, they have human acceptance. This is just any rehab being in the country. It's very, very sad to take this away from these people.

After a very lengthy discussion and exchange of opinions, the board agreed to have a workshop with the community. Chair Thomas commented that he wants this workshop to be done in a way that is legal. He hopes that the parties can substantially work this out.

Chair Thomas stated that public hearing remains open.

**ADJOURNMENT:**

Mr. Dolan motioned to adjourn the meeting at 9:30 pm, seconded by Mr. Ferrini, All Aye, Motion carried, 6-0.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Arlene A. Campbell".

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