

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

**MEMBERS PRESENT**

Paul Thomas, Chairman  
Jack Auspitz  
Tom Bonanno  
Gerald Dolan

Alex Ferrini  
Gerry Thorpe

Secretary – Arlene Campbell

**MEMBERS ABSENT**

Justin Carroll

**ALSO PRESENT:**

Jeff Newman, MCEI  
Katherine Mustello, Board Liaison Officer

Chairman Paul Thomas opened the meeting to order at 7 :00 pm. Chair Thomas gave his procedural comments and update about the proposed revision in the planning board review process. Cornerstone is scheduled for a workshop on July 16, 2024.

**VARIANCE APPLICATION:**

None

**PUBLIC HEARING:**

None

**APPLICATIONS:**

**West Clinton Fire Department Site Plan Approval and Wetlands Permit –**  
property on 6 Long Pond Road, **Tax Grid No. 6468-00-312467.**

Applicant wishes to expand Station 2 of the Firehouse that is in the controlled area pursuant to Sec. 250-78 of the zoning regulation.

Kevin Yereance from Liscum, McCormack VanVoorhis Architecture appeared along with James Stutzman, Chief of the Fire Department.

Mr. Yereance narrated that they are looking to construct a 20' x 33'6" basic addition to the existing firehouse. He explained the new site plan that he

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

submitted as requested per the last meeting. Construction area, dimension, elevation, lighting and wetlands area are all shown on the map. The building is proposed to be expanded closer to the street, away from the wetland and not to the side or closer to the creek. He underscored that they are not increasing the assembly area so this addition should not affect the occupancy load of the building. The proposed addition only affects the area where the apparatus is stored.

Mr. Stutzman stated that they needed more space to house new apparatus in the future as the current space barely fits any right now. They were unable to relocate apparatus from fire station 1 given the small space that they have. He added that the new space will also provide additional training space. This proposal is good for safety and the community.

Chair Thomas asked the applicant what's the square footage of the proposed addition. Mr. Yereance responded that the area of the proposed addition is 665 square feet. The increase in the square footage is good for now given the size of this lot (lot coverage).

Mr. Auspitz asked about the status of the work. Mr. Yereance responded that they are in the process of starting preliminary excavation.

Chair Thomas asked if there will be a foundation. Mr. Yereance responded, "Yes."

Chair Thomas indicated the draft resolution that he crafted in regards to the site plan and wetlands permit application. The proposal also needs site plan approval per the regulation since there is no site plan on record. The building predates the zoning. He commented that the activity is minimal and not really intrusive. Per the Town Engineer's comments letter dated June 22, 2024, only a small portion of the addition is within 100-foot radius to the stream and will have no impact on the stream with the issuance of the Sec. 250-78 Wetlands permit. The DEC permit is not required since the proposed area is beyond 50 feet of the regulated wetland though it still needs a wetlands' permit given the 100 feet buffer requirement per the town regulations.

Chair Thomas stated that the application needs to be circulated to the DC Planning, NYSDEC, CAC and the TOC Highway Department. He commented that the site plan looks good. The board can set the public hearing to the next meeting.

Mr. Newman indicated his recommendation letter to the board dated June 11, 2024 to waive the requirements of the wetlands permit process and just issue the wetlands permit.

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

Chair Thomas disagreed. He feels that the wetlands permit process will not have any impact or delay to the application process since the applicant has to go through the site plan approval process anyway.

The board agreed to declare lead agency for both site plan approval and wetlands permit application.

Mr. Thomas motioned that the Planning Board approves the following resolution:

**Whereas**, the Town of Clinton Planning Board has received applications for Site Plan Approval and for a permit pursuant to Section 250-78 from the West Clinton Fire District for the purpose of constructing a 20' by 33.6' addition to an existing firehouse on a 0.613-acre parcel located at 6 Long Pond Road in the Town of Clinton as shown on a drawing designated "Site Plan" bearing the date 5/17/2024, submitted by Liscum McCormack VanVoorhis LLP (the "Site Plan"); and

**Whereas**, there is no existing site plan on file for the parcel; and

**Whereas**, the proposed addition will consist of an equipment bay for the storage of fire equipment and no expansion or modification of the sewage disposal or water supply systems is proposed; and

**Whereas**, the addition will be constructed within 100 feet of a watercourse (Little Wappinger Creek) necessitating the issuance of a permit pursuant to Section 250-78 of the Zoning Law; and

**Whereas**, the subject property is identified as tax parcel number 132400-6468-00-312467 and is located in the Hamlet (H) Zoning District; and

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

**Whereas**, the Planning Board has granted the following waivers from the Site Plan requirements set forth in Section 250-96(C)(3) of the Town of Clinton

Zoning Law: (b) names of adjacent owners of record; (c) structures and uses on adjacent properties within 100 feet; (p) existing and proposed stormwater drainage system; (t) measurements of lot boundaries with bearings; and (ee) specifications for materials of the proposed improvements; and

**Whereas**, all applicable fees have been paid; and

**Whereas**, the Planning Board has determined the proposed project is an Unlisted Action and that an uncoordinated review of the action will be undertaken.

**Now, Therefore Be It Resolved**, the Planning Board determines that the application is sufficient for purposes of commencing its SEQR review pursuant to 6NYCRR 617; and

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

**Be It Further Resolved**, that the Planning Board hereby declares its intent to assume the role of Lead Agency for this unlisted, uncoordinated action pursuant to Article 8 of the Environmental Conservation Law and Sections 617.6 (2) and (3) of 6 NYCRR Part 617 and directs that a copy of the Short Form EAF Part 1, the application and related documents be sent to the following involved or interested agencies: **NYS Department of Environmental Conservation; Town of Clinton CAC; Town of Clinton Highway Department;** and

**Be It Further Resolved**, that the application materials, Site Plan and EAF shall be submitted to the **Dutchess County Department of Planning and Development** pursuant to GML Section 239-m with a requested response date of July 15, 2024; and

**Be It Further Resolved**, that the Planning Board will hold a public hearing on this application at its meeting scheduled for July 16, 2024.

Seconded by Mr. Autspitz,

**Discussion.** None.

All Aye Motion carried, 6-0.

**Mershon Wetlands Permit to Rebuild Single Family Dwelling** – property located at 253-269 Nine Partners Road, **Tax Grid no. 6468-00-930822.**

Applicant seeks Wetlands Permit pursuant to Sec. 250-78 in order to rebuild the primary dwelling and bridge that is within 100 feet of the controlled area.

Jacob Angel from Halton Construction along with Sal Triano, engineer, appeared for this application. Mr. Triano indicated the demolition plan approval that was received in the past for the removal of the main dwelling given the condition of the house. The new house will be sited in a Controlled Area adjacent to a NYS DEC regulated wetland. He also indicated the DEC permit that they received in regards to this proposal. He added that the house never got demolished for multiple reasons. The property owner also still lives on the property.

Mr. Ferrini stated that it looks like the expansion footprint is not for the main house but just for the front and back porch of the house.

Mr. Triano agreed. He worked out the zoning issues with Mr. Newman and they came up with putting the porches to the outside borders of the house to fit the character of the structure.

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

**June 25, 2024**

Mr. Ferrini asked if it was going to be a full excavation. Mr. Triano responded that they don't know how many rocks are in the area. The objective is to do minor removal as necessary.

Mr. Ferrini stated that in terms of the alternative location, there are no alternative locations since this is where the existing house is. He presumed that the reason for the expansion is to achieve the purpose of the renovation.

Mr. Triano agreed. They don't have any other recourse. There are no other areas to locate the house. He explained why other areas are not feasible given the wetland buffer and the septic location.

Mr. Ferrini asked about the condition of the bridge. Mr. Triano responded that the bridge is at the end of its life. They had the DEC looked at it and are just waiting for the necessary approvals. They also met with the Highway and Fire Department regarding the weight load of the emergency equipment. He noted that everything is within the permitting requirements and regulatory standards that are necessary.

Mr. Ferrini commented that the application seems complete. He suggested doing lead agency and circulating to the necessary agencies such as CAC, Fire Department and maybe DEC though DEC already issued their permit. Escrow account needs to be established for the town engineer review.

Chair Thomas stated that since the DEC already issued their permit, this will be coordinated action and DEC will be involved. He suggested they still circulate to them.

Mr. Angel expressed his hope that the permitting process in regards to SEQRA circulation to the agencies can be waived and the wetlands permit can be just issued.

Chair Thomas commented that it will not cost the applicant any time since the application needs to be sent to the town engineer for comments anyway.

Mr. Newman commented on Mr. Ferrini's earlier comment about the DEC permit per the following section. He said that wetlands of 12.4 acres or greater that are regulated by the DEC shall not be regulated to this section.

Sec. 250-78 D-8 Exempt activity states that Wetlands of 12.4 acres or greater regulated by the New York State Department of Environmental Conservation Law, Freshwater Wetlands Act,<sup>11</sup> or as amended and updated, shall be regulated by the Department of Environmental Conservation and shall not be subject to this section.

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

Chair Thomas asked, "Why is this application before the board then?" Mr. Newman responded that the question is about the watercourse that is within 100 feet and not the wetlands. It is up to the board. The board can still defer it to the DEC.

Chair Thomas felt that this application should be referred to the town engineer for comments whether the DEC permit covers this action.

The board had a lengthy discussion about the matter.

Mr. Ferrini felt that if this activity is exempt from Sec.250.78 then that determination should have been made before this application landed on the board's lap.

Mr. Newman stated that the project can fall under Sec. 250.78-A but the activity is still within the controlled area so it's up to the Planning Board.

Mr. Ferrini opined that given the expansion of the proposed dwelling, the board should take a look at it. He feels that this proposal should go through the process and be referred to the agencies and the town engineer. His expectation is there will be no problem since they already went through the DEC process.

Mr. Thorpe expressed his understanding why it needs to go through the process given the expansion of the house.

Mr. Ferrini added that it is also because of the bridge.

Chair Thomas asked if they will be redoing the septic. Mr. Triano said that septic has already been approved.

After a lengthy discussion, the board agreed to declare the lead agency.

Mr. Ferrini motioned the following:

**Be it Resolved**, that the Town of Clinton Planning Board hereby declares itself lead agency for review of the project pursuant to Sections 617.6(2) and (3) of 6 NYCRR 617, in the matter of **Mershon Wetlands Permit Application** on property located at 269 Nine Partners Road **Tax Grid No. 6468-00-930822** for this unlisted, coordinated action.

**WHEREAS**, the applicant has applied for a wetlands' permit in order to reconstruction of main house and bridge within 100 feet of a watercourse, lake or pond; and

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

**WHEREAS**, granting a wetland permit is an “Action” to be reviewed under the State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (collectively referred to herein as “SEQRA”); and

**WHEREAS**, approval of the wetland permit is an Unlisted action under SEQRA;

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Board hereby declares itself lead agency pursuant to SEQRA for the uncoordinated environmental review of the Mershon wetlands permit.

Involved Parties:

NYS Department of Environmental Conservation

Interested Parties:

Clinton Conservation Advisory Committee

Seconded by Mr. Ausptiz,

Discussion. Mr. Bonnano asked if there are any materials or parts of the house that are salvageable. Chair Thomas responded that they already went through that process during the demolition plan approval process. The Clinton Historical Society Committee already looked at the house and agreed that there are no historical values left given all the renovations made in the past.

All Aye, Motion carried, 6-0.

Escrow account in the amount of \$1,000 is established.

**Saxe Site Plan Modification to Approved Site plan** – property located at 28 Woodlands Trail, **Tax Grid No. 6466-00-797937.**

Applicant seeks site plan approval to modify the approved site plan per Lot 2 of Easter Oaks approved subdivision in order to relocate the driveway.

Leo Stenik, contractor along with the property owners appeared for this application.

Mr. Stenik explained that they are proposing to relocate the driveway that was approved per the Eastern Oak subdivision approval.

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

**June 25, 2024**

It was noted that these applicants were before the board for the same proposal but decided to abandon their proposal at the last minute. The applicants are now back before the board for their initial proposal.

The board agreed to declare the lead agency.

Mr. Auspitz motioned the following:

**Be it Resolved**, that the Town of Clinton Planning Board hereby declares itself lead agency for review of the project pursuant to Sections 617.6(2) and (3) of 6 NYCRR 617, in the matter of Saxe Site Plan Modification on property located at 28 Woodlands Trail, **Tax Grid No. 6466-00-797937** for this unlisted, uncoordinated action.

**BE IT FURTHER RESOLVED**, that the Planning Board hereby directs that a copy of the Short Form EAF Part 1, Site plan, application and related documents be sent to the following interested agency : **Town of Clinton Fire Department**.

Seconded by Mr. Thorpe,

Discussion. None.

All Aye, Motion carried, 6-0.

Escrow account to be established in the amount of \$1,000.00. Need comments from the town engineer.

No other action taken.

**Long Pond Holdings LLC Non-Hosted Short Term Renewal Permit – 199 Long, Tax Grid No. 6468-00-230572.**

Applicants seek renewal of their Short-Term Renewal pursuant to Sec. 250-69.1

The board agreed to approve the renewal request.

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

**Whereas**, the Town of Clinton Planning Board has received an application to renew a Special Use Permit from Long Pond Holdings LLC for the purpose of utilizing a principal residence ("Dwelling Unit") located at 246 Clinton Avenue in the Town of Clinton as a Non-Hosted Short-Term Rental ("STR") pursuant to Section 250-69.1 of the Zoning Law; and



**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

**Whereas**, the subject property is identified as tax parcel number 132400-6468-00-178992 and was previously issued a Special Use Permit for an STR on June 6, 2023; and

**Whereas**, the applicant's application for renewal of the Special Use Permit was received on May 30, 2024, and the applicant does not propose any permit changes with respect to the Dwelling Unit or use as an STR; and

**Whereas**, the Zoning Administrator has inspected the Dwelling Unit and certified that it is in compliance with the 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 on the property and that no complaints have been received regarding the property's use as an STR; and

**Whereas**, based on the proof of insurance submitted, the applicant shall utilize AirBnB as the exclusive rental platform for the STR and shall not offer or rent the STR using any other rental platform; and

**Whereas**, after review of the renewal application and all other submissions by the applicant, the Board has determined that the application and Dwelling Unit 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 the expiration of the prior permit and shall require annual renewal

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 Unit complies with the requirements of 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

**Whereas**, all applicable fees have been paid:

**Now Therefore Be It Resolved**, that the Planning Board hereby grants renewal of the requested Special Use Permit, effective as of the date of the expiration of the prior STR permit.

**MAXIMUM NUMBER OF LODGERS PERMITTED: 4 adults**

**MAXIMUM NUMBER OF DAYTIME GUESTS: 4 adults**

**NUMBER OF BEDROOMS TO BE USED BY LODGERS: 2**

**PERMIT REMAINS IN EFFECT UNTIL 6/7/2025 (SEE SECTION 250-69.1D(4) FOR ANNUAL RENEWAL PROCEDURE)**

Seconded by Mr. Dolan,

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

Discussion. None.

All Aye, Motion carried, 6-0.

**Eckert and Zemser Non-Hosted Short Term Renewal Permit – 22 Silver Lake Road, Tax Grid No. 6369-09-212635.**

Applicants seek renewal of their Short-Term Renewal pursuant to Sec. 250-69.1.

The board agreed to renew the requested permit subject to receiving the updated insurance.

Chairman Thomas motioned that the Town of Clinton Planning Board approves the following:

**Whereas**, the Town of Clinton Planning Board has received an application to renew a Special Use Permit from Lynn Eckert and Amy Zemser for the purpose of utilizing a principal residence (“Dwelling Unit”) located at 22 Silver Lake Road in the Town of Clinton as a Non-Hosted Short-Term Rental (“STR”) pursuant to Section 250-69.1 of the Zoning Law; and

**Whereas**, the subject property is identified as tax parcel number 132400-6469-00-212635 and was previously issued a Special Use Permit for an STR on May 2, 2023; and

**Whereas**, the applicants’ application for renewal of the Special Use Permit was received on May 28, 2024, and the applicants do not propose any permit changes with respect to the Dwelling Unit or its use as an STR; and

**Whereas**, the Zoning Administrator has inspected the Dwelling Unit and certified that it is in compliance with the permitting requirements set forth in Section 250-69.1 for use of the Dwelling Unit as an STR and that there are no known zoning violations on the property and that no complaints have been received regarding the property’s use as an STR; and

**Whereas**, submission of proof of insurance will be required as a condition of issuance of the renewal permit; and

**Whereas**, after review of the renewal application and all other submissions by the applicant, the Planning Board has determined that the application and Dwelling Unit 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 the expiration of the prior permit and shall require annual renewal, upon timely request by the property owner pursuant to Section 250-69.1D(4), no later than the anniversary of such issuance; and

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

**Whereas**, the applicant shall ensure that the Dwelling Unit complies with the requirements of Section 250-69.1 at all times while it is being utilized as an STR 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 renewal of the requested Special Use Permit, effective as of the date of the expiration of the prior STR permit, provided the following condition is met:

1. Submission of proof of insurance in a form acceptable to the Zoning Administrator.

**MAXIMUM NUMBER OF LODGERS PERMITTED: 4 adults**

**MAXIMUM NUMBER OF DAYTIME GUESTS: 0 adults**

**NUMBER OF BEDROOMS TO BE USED BY LODGERS: 2**

**PERMIT REMAINS IN EFFECT UNTIL 5/2/2025 (SEE SECTION 250-69.1D(4) FOR ANNUAL RENEWAL PROCEDURE)**

Seconded by Mr. Auspitz,

Discussion. None.

All Aye, Motion carried, 6-0.

**Hagopian Non-Hosted Short Term Renewal Permit – 241 Fox Run Road, Tax Grid No. 6366-00-894141.**

Applicants seek renewal of their Short-Term Renewal pursuant to Sec. 250-69.

The board discussed the application. It was noted that this short term rental only uses the VRBO platform.

Chairman Thomas motioned that the Town of Clinton Planning Board approves the following resolution in the matter of Hagopian Non-Hosted Short-term Rentals on property located at 241 Fox Run Road, **Tax No. 6366-00-894141.**

**Whereas**, the Town of Clinton Planning Board has received an application to renew a Special Use Permit from Rachel Hagopian d/b/a 241 Fox Run Road Salt Point LLC for the purpose of utilizing a principal residence (“Dwelling Unit”)

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

located at 241 Fox Run Road in the Town of Clinton as a Non-Hosted Short-Term Rental ("STR") pursuant to Section 250-69.1 of the Zoning Law; and

**Whereas**, the subject property is identified as tax parcel number 132400-6366-00-894191 and was previously issued a Special Use Permit for an STR on September 5, 2023; and

**Whereas**, the applicant's application for renewal of the Special Use Permit was received on May 28, 2024, and the applicant does not propose any permit changes with respect to the Dwelling Unit or its use as an STR; and

**Whereas**, the Zoning Administrator has inspected the Dwelling Unit and certified that it is in compliance with the permitting requirements set forth in Section 250-69.1 for use of the Dwelling Unit as an STR and that there are no known zoning violations on the property and that no complaints have been received regarding the property's use as an STR; and

**Whereas**, based on the proof of insurance submitted, the applicant shall utilize VRBO as the exclusive rental platform for the STR and shall not offer or rent the STR using any other rental platform; and

**Whereas**, after review of the renewal application and all other submissions by the applicant, the Planning Board has determined that the application and Dwelling Unit 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 the expiration of the prior permit and shall require annual renewal, 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 Unit complies with the requirements of Section 250-69.1 at all times while it is being utilized as an STR 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 renewal of the requested Special Use Permit, effective as of the date of the expiration of the prior STR permit.

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

**MAXIMUM NUMBER OF DAYTIME GUESTS: 6 adults**

**NUMBER OF BEDROOMS TO BE USED BY LODGERS: 3**

**TOWN OF CLINTON  
PLANNING BOARD MEETING  
FINAL MINUTES  
June 25, 2024**

**PERMIT REMAINS IN EFFECT UNTIL 9/5/2025 (SEE SECTION 250-69.1D(4)  
FOR ANNUAL RENEWAL PROCEDURE)**

Seconded by Mr. Bonanno

Discussion. None.

All Aye, Motion carried, 6-0.

**OTHER MATTERS:**

1. Mr. Bonanno discussed the East Clinton Fire District proposal to construct a new fire house. He asked the board for guidance on the procedural process.

After all the comments were made, the board agreed that this matter can go before the board for discussion.

2. The board exchanged opinions about the proposed Short Term Rental Local revision.

**APPROVAL OF MINUTES:**

Mr. Auspitz motioned to approve the minutes of June 4, 2024, seconded by Mr. Thorpe, all Aye, Motion carried, 6-0.

**ADJOURNMENT:**

Mr. Dolan motioned to adjourn the meeting at 8:55 pm, seconded by Mr. Auspitz, All Aye, Motion carried, 6-0.

Respectfully Submitted,



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