

**TOWN OF CLINTON  
PLANNING BOARD REPORT  
TOWN BOARD MEETING  
December 13, 2022**

**November 15, 2022 PB Meeting**

**Joshua and Robyn Stylman Variance** - 126-128 Schultz Hill Road, Tax Grid No. 6368-00-436492. The property is in the AR5 Zoning District.

The applicants request an area variance to Sec. 250-22 A-4 of the zoning regulations to increase the number of allowed accessory structures in order to build a carport on a 10.1-acre lot.

- Received a positive recommendation to the Zoning Board of Appeals.

**Michael and Molly Maloney Area Variance**- 511-521 Schultzville Road, Tax Grid No. 6567-00-257398. The property is in the AR5 Zoning District.

The applicants request an area variance to Sec. 250-29 B(6) of the zoning regulations to increase the allowed square footage of the accessory dwelling unit from 1,000 square feet to 2,050 square feet on a horse farm property of 41.4-acre lot.

- This is horse farm property with Ag Exemption.
- The property owner wishes to construct an ADU for themselves and to house their daughter and family to the main house.
- It was noted that there is already an ADU on this property which is used for farm worker. Section 250-29(B)(1) states that there may be only one accessory dwelling unit on a lot.
- The applicant states that the proposed accessory dwelling will be occupied by himself and his wife and is not intended for use as farm worker housing. Section 250-29B(6), which limits the dimensions of accessory units to no more than 35% of the habitable space of the existing principal structure or 1000 square feet of floor space, whichever is more restrictive.
- The board had a lengthy discussion about whether a second ADU is allowed. This is a working farm.
- The board agreed to send an interpretation to the ZBA.
- Received a neutral recommendation to the Zoning Board of Appeals.

**Glazier Special Permit for Non-Hosted Short Term Rental - 20-22 Bel Air Road Rhinebeck NY Tax Grid No. 6469-00-539562.**

Applicant wishes to operate a Non-Hosted STR per Sec. 250-69-1 of the zoning law.

- Continuance of Public hearing.
- Number of people spoke and indicated their strong concerns about the use of the private road.
- The applicant's attorney submitted a driveway agreement between the prior owners and the neighbors. He underscored that driveway agreement goes with the property.
- The board agreed for the applicant's attorney to reach out to the town attorney.
- Public hearing is closed. The board to render decision within 62 days.
- No action taken.

**MacDonald Soil Erosion and Sediment Control Plan – 150 Walnut Lane, Tax Grid No. 6367-00-371388/**

Applicant seeks Soil Erosion and Sediment Control Plan to level the property.

- This is a 5.32 acre parcel in the AR3 Zoning District. The terrain of the property is slightly slopes and there's a Federal wetlands (creek) on the property.
- Applicant is currently building a home and a detached garage.
- A stop work order was issued by the ZEO for the number of fill brought in the property.
- Escrow account was established for the town engineer to review the site.
- No action taken.

## **December 6, 2022**

### **Pressner Area Variance – 72 Bowmans Glen, Tax Grid No. 6568-00-169564**

Applicant seeks an area variance to reduce the front yard setback from 100 feet to 83 feet in order to build a garage addition.

- This is a 15.02 acre flag lot in the AR5 Zoning District.
- Note that this lot is part of an approved subdivision in 2006 (Bowmans Glen subdivision).

Received a positive recommendation to the Zoning Board of Appeals.

### **Stylman Site Plan for Ground Mounted Solar Energy System – 126-128 Schultz Hill Road, Tax Grid No. 6368-00-436492**

Applicant wishes Installation of two Ground Mounted Arrays and another array on a canopy, totaling three Ground Mounted arrays.

- This is a 10.09 acre lot in the AR5 Zoning District.
- Per the previous discussion about whether the proposal is under Tier 2 or 3, the applicant revised the proposal to reduce the system capacity to under 25kW.
- The required variance to the number of accessory structure was granted by the ZBA.
- Public hearing was open and closed.
- Short Form was reviewed and Negative Declaration was issued.

Requested site plan for Ground Mounted SES is granted.

### **Michael and Molly Special Permit for an ADU- 511-521 Schultzville Road, Tax Grid No. 6567-00-257398.**

Applicants seek site plan and special permit to Sec. 250.96 to build an accessory dwelling on a 41 acre property in the AR5 Zoning District.

- The requested area variance was granted by the ZBA.
- The ZBA also made an interpretation that only one ADU is allowed on a property. The other guest cottage is a farm worker use.
- After a lengthy discussion, the board agreed that the applicant needs to demonstrate the septic system capacity for this property to accommodate the proposed ADU per the zoning law requirement.

- Needs SDS engineering and board of health approval.
- No action taken.

**OTHER MATTERS:**

The board Liaison Officer discussed the proposed local law about Alternate Care Facility. The board had a lengthy discussion about the matter.

Prepared by:



Arlene Campbell  
Building, Planning and Zoning Board of Appeals Clerk

Cc: Eliot Werner, Liaison Officer

**TOWN OF CLINTON  
ZONING BOARD OF APPEALS MEETING  
MONTHLY REPORT  
TB meeting December 13, 2022**

**December 1, 2022 ZBA Meeting**

**Maloney Interpretation - 511-521 Schultzville Road, Tax Grid No. 6567-00-257398.**

Applicants seek interpretation of the following in order to build a second ADU on a 41.41-acre horse farm in the AR5 Zoning District.

(1) whether Section 250-29B(1) of the Zoning Law, allowing only one accessory dwelling per lot, applies to this application (necessitating a second variance), or

(2) whether the stated use of the existing accessory dwelling as farm worker housing renders Section 250-29B(1) inapplicable, or

(3) whether the presence of three dwellings on the lot meets the definition of "Multifamily Dwelling" under the Zoning Law invoking the requirements of Section 250-62.

- After a lengthy discussion, the board responded Yes, No, and Yes to the above questions.

**Maloney Area Variance - 511-521 Schultzville Road, Tax Grid No. 6567-00-257398.**

The applicants request an area variance to Sec. 250-29 B(6) of the zoning regulations to increase the allowed square footage of the accessory dwelling unit from 1,000 square feet to 2,050 square feet on a horse farm property of 41.4-acre lot.

- The applicant advises that the new Accessory Dwelling unit will be occupied by himself and his wife and will not be used for farm worker housing.
- The principal dwelling on the parcel will be occupied by family members of the applicants.
- The request is substantial by doubling the allowable size of the accessory dwelling unit.
- Public hearing is open and closed.

Requested variance is granted.

**MTS Realty Variance (continuance)- 505 Hollow Road - Tax Grid #132400-6366-00-284983.**

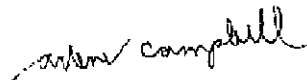
The applicant requests four variances to Sec. 250 Attachment 2 District Schedule of Area and Bulk Regulations to allow additions to the primary dwelling unit and to construct a pool. Specifically, the Applicant requests:

- (1) A variance to allow expansion of the maximum building coverage from the allowed 7% to 11.916%;
- (2) A reduction in the rear yard setback from 75 feet to 66 feet for the addition of a new covered patio and 21 feet for a new pool and pool deck;
- (3) A reduction in the side yard setback from 50 feet to 47 feet for the new covered patio; and (4) A reduction in the front yard setback from 100 feet to 17.4 feet for a new covered front porch.

- The property is a 0.505-acre lot in an AR3 Zoning District.
- Per the previous meeting about the access concern, the applicant presented a driveway easement recently obtained from his adjoining neighbor.
- Public hearing was opened and closed.

Requested variances are granted.

Submitted by:



Arlene A. Campbell  
Zoning Board of Appeals Clerk

cc: Eliot Werner, Board Liaison Officer

**TOWN OF CLINTON  
ZONING BOARD OF APPEALS MEETING  
MONTHLY REPORT  
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**December 1, 2022 ZBA Meeting**

**Maloney Interpretation - 511-521 Schultzville Road, Tax Grid No. 6567-00-257398.**

Applicants seek interpretation of the following in order to build a second ADU on a 41.41-acre horse farm in the AR5 Zoning District.

(1) whether Section 250-29B(1) of the Zoning Law, allowing only one accessory dwelling per lot, applies to this application (necessitating a second variance), or

(2) whether the stated use of the existing accessory dwelling as farm worker housing renders Section 250-29B(1) inapplicable, or

(3) whether the presence of three dwellings on the lot meets the definition of "Multifamily Dwelling" under the Zoning Law invoking the requirements of Section 250-62.

- After a lengthy discussion, the board responded Yes, No, and Yes to the above questions.

**Maloney Area Variance - 511-521 Schultzville Road, Tax Grid No. 6567-00-257398.**

The applicants request an area variance to Sec. 250-29 B(6) of the zoning regulations to increase the allowed square footage of the accessory dwelling unit from 1,000 square feet to 2,050 square feet on a horse farm property of 41.4-acre lot.

- The applicant advises that the new Accessory Dwelling unit will be occupied by himself and his wife and will not be used for farm worker housing.
- The principal dwelling on the parcel will be occupied by family members of the applicants.
- The request is substantial by doubling the allowable size of the accessory dwelling unit.
- Public hearing is open and closed.

Requested variance is granted.

**MTS Realty Variance (continuance)- 505 Hollow Road - Tax Grid #132400-6366-00-284983.**

The applicant requests four variances to Sec. 250 Attachment 2 District Schedule of Area and Bulk Regulations to allow additions to the primary dwelling unit and to construct a pool. Specifically, the Applicant requests:

(1) A variance to allow expansion of the maximum building coverage from the allowed 7% to 11.916%;


(2) A reduction in the rear yard setback from 75 feet to 66 feet for the addition of a new covered patio and 21 feet for a new pool and pool deck;

(3) A reduction in the side yard setback from 50 feet to 47 feet for the new covered patio; and (4) A reduction in the front yard setback from 100 feet to 17.4 feet for a new covered front porch.

- The property is a 0.505-acre lot in an AR3 Zoning District.
- Per the previous meeting about the access concern, the applicant presented a driveway easement recently obtained from his adjoining neighbor.
- Public hearing was opened and closed.

Requested variances are granted.

Submitted by:



Arlene A. Campbell  
Zoning Board of Appeals Clerk

cc: Eliot Werner, Board Liaison Officer



# **Town of Clinton Recreation Committee**

December Report

Dan Harkenrider, Rec Director

## **OLD BUSINESS:**

Great year of clubs and activities and we plan to build on that in 2023 with the addition of a pt Assistant Recreation Director.

We have to raise funds to support Recreation so we are planning a Banner Up! Program, selling ad space on banners to hang on the outfield fence at Friends Park.

We have volunteers who will do this as town employees or committee members can not legally raise funds.

## **OTHER BUSINESS**

- a) CBG for Friends Park: Dan/Chris - the project will be bid by the Town Board to upgrade fencing on ballground,, add ADA compliant bathrooms and add handicapped parking
- b) New cabinets at Fran Mark kitchen: Dan will consider using ARPA funds

## **Working on these activities:**

Painting/watercolors: **Dan**

## ***Recreation Purchases:***

Pickleball net/paddles

Picnic Tables

Town of Clinton Building Department  
November 2022 Monthly Report  
Town Board Meeting 11-09-2022

Number of Building Permits Issued	20
Number of CO & CC issued	9
Number of Title Search	8
Total Number of Mileage by the Building Inspector	<u>138 miles</u>
Total Cost of Construction	<u><u>\$ 2,058,678.99</u></u>

Approved By:



Michael Cosenza  
Building Inspector

# Permit Report By Type

11/01/2022 - 11/30/2022

Permit Type: All

Permit Type: Permit #	Applicant	Location	SBL#	Issued	Valuation	Fee Amount	
<b>Chimney</b> BP-2022-7654	Peter Fraser & Danny Vonder Brink	1235 Centre Rd	6468-00-	11/28/2022	\$4,000.00	\$96.00	
			<b>Chimney Total:</b>			<b>1</b>	
			<b>Amount Totals:</b>			<b>\$4,000.00</b>	<b>\$96.00</b>
<b>Deck/Porch</b> BP-2022-7636	Kevin and Susanne Marrinan	390 Allen Rd	6466-00-	11/03/2022	\$8,500.00	\$125.86	
BP-2022-7653	Katy Shelkowitz	1346 Centre Rd	6468-00-	11/28/2022	\$22,000.00	\$267.00	
			<b>Deck/Porch Total:</b>			<b>2</b>	
			<b>Amount Totals:</b>			<b>\$30,500.00</b>	<b>\$392.86</b>
<b>Electrical Service</b> BP-2022-7647	Kevin Jaycox	277 Nine Partners Rd	6568-00-	11/17/2022	\$6,395.00	\$100.00	
			<b>Electrical Service Total:</b>			<b>1</b>	
			<b>Amount Totals:</b>			<b>\$6,395.00</b>	<b>\$100.00</b>
<b>Garage - Detached</b> BP-2022-7643	Jennifer Malcarne	89 Rymph Rd	6266-00-	11/17/2022	\$0.00	\$1,305.00	
			<b>Garage - Detached Total:</b>			<b>1</b>	
			<b>Amount Totals:</b>			<b>\$0.00</b>	<b>\$1,305.00</b>
<b>Garage/Carpport - Attached</b> BP-2022-7648	Stan Pressner	72 Bowmans Glen Ln	6568-00-	11/17/2022	\$60,000.00	\$269.50	
			<b>Garage/Carpport - Attached Total:</b>			<b>1</b>	
			<b>Amount Totals:</b>			<b>\$60,000.00</b>	<b>\$269.50</b>
<b>Generator</b> BP-2022-7644	Robert Rowley	216 Zipfeldburg Rd	6369-00-	11/17/2022	\$0.00	\$100.00	
			<b>Generator Total:</b>			<b>1</b>	
			<b>Amount Totals:</b>			<b>\$0.00</b>	<b>\$100.00</b>
<b>HVAC</b> BP-2022-7637	Kevin Jaycox	277 Nine Partners Rd	6568-00-	11/03/2022	\$0.00	\$125.00	
BP-2022-7638	Eric Bachli	129 Old Bulls Head Rd	6469-00-	11/03/2022	\$19,500.00	\$125.00	
			<b>Amount Totals:</b>			<b>\$19,500.00</b>	<b>\$250.00</b>

Permit Type: Permit #	Applicant	Location	SBL#	Issued	Valuation	Fee Amount
<b>New Residential</b>						
BP-2022-7642	Steven Weber Trustee	345 Schultz Hill Rd				
				<b>HVAC Total:</b>	<b>2</b>	
				<b>Amount Totals:</b>	<b>\$19,500.00</b>	<b>\$250.00</b>
<b>Renovation</b>						
BP-2022-7640	Mahmood and Nancy Naim	392 Browning Rd		11/03/2022	\$20,000.00	\$165.20
BP-2022-7641	Omega Institute	123-165 Lake Dr		11/15/2022	\$252,000.00	\$1,088.00
BP-2022-7650	Todd Mihley Coggeshall	354 Nine Partners Rd		11/17/2022	\$14,450.00	\$137.80
BP-2022-7651	Laurie Meccariello-Buchal	61 Ryan Ct		11/28/2022	\$14,634.00	\$125.00
				<b>Renovation Total:</b>	<b>4</b>	
				<b>Amount Totals:</b>	<b>\$301,084.00</b>	<b>\$1,516.00</b>
<b>Residential Alteration</b>						
BP-2022-7645	Cory & Anne Chen	136 Nine Partners Rd		11/17/2022	\$50,000.00	\$880.00
				<b>Residential Alteration Total:</b>	<b>1</b>	
				<b>Amount Totals:</b>	<b>\$50,000.00</b>	<b>\$880.00</b>
<b>Roof Mounted Solar ES</b>						
BP-2022-7646	Kathy Simon	98 Tobin Dr		11/17/2022	\$65,000.00	\$150.00
BP-2022-7649	Cukar Alex	122 Woodlea Rd		11/17/2022	\$21,000.00	\$150.00
BP-2022-7652	Jennifer Malcarne	577 Hollow Rd		11/28/2022	\$0.00	\$150.00
				<b>Roof Mounted Solar ES Total:</b>	<b>3</b>	
				<b>Amount Totals:</b>	<b>\$86,000.00</b>	<b>\$450.00</b>
<b>STR (Non-Hosted)</b>						
STRNH-0007	Centre Road Realty LLC	1579 Centre Rd		11/03/2022	\$0.00	\$0.00
				<b>STR (Non-Hosted) Total:</b>	<b>1</b>	
				<b>Amount Totals:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Wood Stove</b>						
BP-2022-7639	Carl Jay Diesing	64 Bowmans Glen Ln		11/03/2022	\$1,199.99	\$125.00
				<b>Wood Stove Total:</b>	<b>1</b>	
				<b>Amount Totals:</b>	<b>\$1,199.99</b>	<b>\$125.00</b>
				<b>Permit Grand Total:</b>	<b>20</b>	
				<b>Amount Grand Totals:</b>	<b>\$2,058,678.99</b>	<b>\$10,049.96</b>

# Completion Issued Report

11/01/2022 - 11/30/2022

Contact Type: Applicant

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2018-6861	6266-00-948870-0000	CC	5829	Jennifer Malcarne	89 Rymph Rd	11/17/2022

Solar panel # of CC/CO :Issued : 1

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2019-6946	6567-00-257398-0000	CO	5827	Michael Maloney	511-521 Schultztville Rd	11/16/2022
BP-2019-6958	6567-00-257398-0000	CO	5828	Michael Maloney	511-521 Schultztville Rd	11/16/2022

Farm Structures # of CC/CO :Issued : 2

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2020-7153	6368-00-436492-0000	CO	5831	Joshua Stylman	126-128 Schultzt Hill Rd	11/30/2022

Residential Alteration # of CC/CO :Issued : 1

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2022-7570	6466-00-830993-0000	CC	1795	George Lally	44 Woodlands Trl	11/22/2022

Roof Mounted Solar ES # of CC/CO :Issued : 1

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2022-7606	6566-00-357569-0000	CC	1796	Joseph and Susan Aiello	12 Heritage Rd	11/22/2022

HVAC # of CC/CO :Issued : 1

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2022-7628	6469-00-913517-0000	CC	1794	Kathleen Blake	132 Old Bulls Head Rd	11/22/2022

Roof Mounted Solar ES # of CC/CO :Issued : 1

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2022-7629	6469-00-720572-0000	CC	1793	Steven Rochkind	19 Old Bulls Head Rd	11/17/2022

Generator # of CC/CO :Issued : 1

Permit #	SBL	Completion Type	Completion Number	Applicant	Location	Completion Date
BP-2022-7635	6566-01-495856-0000	CC	1791	Susan Lengyel	Susan Lengyel 22 Talleur Road	11/10/2022

Electrical Service # of CC/CO : Issued : 1

Grand Total: 9

# Highway Report for the December, 2022

## Board meeting (November work)

Black top patching was completed (before the plant closed this month) on various roads including Bartles Landing, Eighthmyville Road, Lakeview Dr and Schultzville Road.

Dirt patching has been on going to grade and prep the roads for winter plowing.

The highway crew has been working on Fall cleanup to blow leaves and clean ditches on the roads.

Through the Shared Services program, the Highway Dept had use of the bucket truck this month to complete various tree work.

During the rainy days, further hauling of sand was done to fill the shed with material to use on the roads this winter.

The trucks are being prepped for the snow removal season. Plows and sanders have been put on. Plow blades have been inspected.

The crew had to salt/sand one time this month for bad weather.

The paperwork has been completed and submitted for the NYS Highway funding reimbursement program.

Further paperwork was completed for the SAM Grant to fund the High band radios that will be used in the Highway Dept and the Firehouses.

Safety training was completed for the crew

Town of  
Clinton NY  
email

Carol Mackin <townclerk@townofclinton.com>

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**DCCHR**

1 message

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**Eliot Werner** <deputysupervisor@townofclinton.com>  
To: Carol Mackin <townclerk@townofclinton.com>  
Cc: Michael Whitton <townsupervisor@townofclinton.com>

Thu, Dec 8, 2022 at 4:48 PM

Report for December . . .

The Dutchess County Commission on Human Rights held its monthly meeting via Zoom on Wednesday, October 18th. Executive Director Jody Miller and twelve members were present; one member was absent.

Executive Director Jody Miller welcomed five new board members and recapped the commission's focus and work for 2022.

Under "Old Business" the group's discussion covered four major issues.

- Youth
- Community Days
- Town/Village Project
- Addressing Hate and Bias

Under "New Business" the commission discussed the upcoming 50th Anniversary Gala of the Dutchess County Interfaith Council, which will include public recognition of two new board members.

The next meeting will be on Wednesday, January 6th , also via Zoom.

People interested in learning more about the commission and its work should email [dchumanrights@dutchessny.gov](mailto:dchumanrights@dutchessny.gov) or click on <https://www.dutchessny.gov/Departments/Human-Rights/Human-Rights-Commission.htm>.



Town of  
Clinton NY  
email

Carol Mackin <townclerk@townofclinton.com>

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## SHRAC

1 message

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**Eliot Werner** <deputysupervisor@townofclinton.com>  
To: Carol Mackin <townclerk@townofclinton.com>  
Cc: Michael Whitton <townsupervisor@townofclinton.com>

Thu, Dec 8, 2022 at 4:48 PM

Report for December . . .

SHRAC met on Monday, November 21st. All five members and Town Board liaison Eliot Werner were present.

The group discussed four items.

- Renting a table at Community Day 2023.
- Welsh's decision to close the transfer station.
- Working with the Cemetery Committee in a stone-cleaning project next spring.
- Review of a Planning Board application to install ground-mounted solar panels on Schultz Hill Road.

The next meeting is tentatively scheduled for Monday, December 19th.

Town of  
Clinton NY  
email

Carol Mackin <townclerk@townofclinton.com>

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## Cemeteries

1 message

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**Eliot Werner** <deputysupervisor@townofclinton.com>  
To: Carol Mackin <townclerk@townofclinton.com>  
Cc: Michael Whitton <townsupervisor@townofclinton.com>

Thu, Dec 8, 2022 at 4:47 PM

Report for December . . .

- No burials.
- Stone unveiling at Pleasant Plains.
- Working on sale of new plot(s) at Pleasant Plains.
- Waiting to hear from Kol-Rocklea about stone repair work at Pleasant Plains.
- First meeting of the Cemetery Committee tentatively scheduled for January 16th.