

The Clinton Town Board held their zoning revision meeting on this day in the Town Hall. Present were Supervisor Ray Oberly and Board Members Dean Michael, Michael Whitton, Chris Juliano and Nancy Cunningham. There were five residents in the audience.

Supervisor Oberly called the meeting to order at 6:30 PM and led the Pledge of Allegiance.

Councilmember Michael's Notes of the meeting

§ 250-72 Steep slopes.

Russ Thompkins still concern with the changes and thinks the Forest Management Plan (FMP) is required, **Dean Michael** stated that it's not required but if you have one then you are exempt.

Michael Whitton said to Cap

Jeff Newman Concern & CZ doesn't allow for personal removal.

Eliot Werner asked if we should list 50 ac as a requirement for the FMP, Dean said we should leave open as the State may change the requirement.

§ 250-75 Temporary permits.

Russ questioned that it would require renewal every year D5 on Ian's request. No change was made.

Michael read **Ian Shranks** note to change the D1 100 Sq Ft requirement. We agreed to change to 300 Sq Ft, **Jeff** said we should fix D3 to read or as allowed NYS Department of Agriculture & Markets. Also questioned difference from Roadside Stand and Farm stand. Ian suggested combining C and D. **Jeff** suggested d is for farms, **Russ** thought it was ok and defined. **Jeff** also a question in C because it didn't reference yard sales as found in **250-79**. **Ian** said we should better define Yard Sale in the definitions as occasional when we get there. **Jeff** also questioned C8 being limited to 1 per location but it does reference **250-70 E13** which does allow 2 off location signs. We agreed to add Freestanding in C8.

§ 250-76 Two-Family

Michael said we should come back when definitions are fixed

§ 250-78 Freshwater Wetlands

Ian thinks we should Harmonize 250-65 and 250-78 from his email the following was suggested:

As you noted, there is substantial overlap between these two sections. The main difference is that if one builds a one acre pond that is fed only by underground water or by drainage from surrounding land and the pond is not located in or near wetlands or a stream, then 65 applies, but not 78. In all other cases, both 65 and 78 apply to building a pond of more than one acre. That is of course confusing, and in my opinion does not make sense given creating a pond of that size (regardless of where the water comes from) will impact many of the concerns addressed by 78 (disturbance of flora and fauna, reductions in water supply, impact on nutrients, aesthetic values, natural topographic contours, neighboring land use, soil impact, etc.). My proposal is therefore to put the substance of 65 into 78 by:

1. Revising the opening paragraph of clause 78(C) to read:

"Regulated activities which require a permit. Except as otherwise provided in Subsection D herein concerning exempt activities or Subsection H herein concerning waiver of requirements, it shall be unlawful, in the absence of a permit issued pursuant to this section, to (i) build a Pond or Lake of water surface larger than one acre, increase the size of a Pond or Lake by more than one acre, or increase the size of a Pond or Lake of less than one acre so it is larger than one acre or (ii) do any of the following activities in any Wetland, Watercourse or Controlled Area (as defined below):"

2. Adding to sub-clause (4) of clause 78(F) (Application Process) at the end the following (which is mostly verbatim from 250-65):

"(h) In the case of a permit required by clause (C)(i) above, a letter from the Dutchess County Soil and Water Conservation District (DCSWCD) indicating:

- (a) Property identification, location, and size of Pond or Lake;
- (b) Classification of Watercourses affected and Department of Environmental Conservation (DEC) permit, if required;
- (c) Any related Wetlands affected and DEC permit, if required;
- (d) Discussion of other relevant information;
- (e) Site inspection review and advice, including any soil erosion mitigation plans, by the DCSWCD."

3. Notwithstanding the above, I would request that the new clause (h) also apply to all permits required by 78 since 78 deals with disturbance of wetlands and watercourses. If you agree, then the suggested (h) above would be revised to just delete "In the case of a permit required by clause (C)(i) above,". Since I was not clear on this part I made no change but we can discuss at the next meet.

Dean I changed K to take out fines and fees and just added see § 137-1 Schedule of fines.

§ 250-79 Yard Sales

Jeff said that we should fix C to say "with the intent for resale" and the definition should be updated.

§ 250-80 General provisions.

Russ asked if we crossed out pecuniary use

Ian sent prior changes that we implemented

Jeff is afraid we would lose a hobby use. We should protect the Town but also protect the non-confirming building and its use.

Board decided to keep changes from last month

§ 250-81 Nonconforming uses.

Ian wanted to add of this chapter date to identify the date and add or a subsequent amendment which was changed, **Eliot** thinks it should be clearer. **Ian** fixes where made last month.

§ 250-82

Is coming out referencing 250-18

§ 250-83 Nonconforming buildings or structures

Ian adding in B other than 250-81

Jeff said to change relevant to subsequent amendment at the end of

Ian said in C to add or Structure

§ 250-84 Alterations permitted to nonconforming buildings

Ian doesn't like the 50% increase. It was said that the building must comply with all other requirements

Jeff said to change relevant to subsequent amendment at the end of

Russ thinks we should leave alone.

Ian said he doesn't like the word other.

We agreed to keep it

§ 250-85 Restoration after damage.

Jeff want to add structure

Ian feels that A and B should say the same

Dean said we should delete the end of sentence limiting the 18 months

§ 250-86 Completion of nonconforming building construction.

Ian said to add structure

§ 250-87 Appeal jurisdiction.

Agreed to delete as per Shane Egan

§ 250-88 Appeal

Ian the reference below change to in this chapter

§ 250-89 Zoning Administrator powers

We will come back to this section

§ 250-93 Demolition permits

Russ In C2 Does not think anyone should be told that they can or can't do and should not be dictated if a person can take down a building and thinks it should be deleted

Councilmember Michael said we will discussed the following sections at the next meeting on August 26st at 6:30 pm, **Sections to follow are § 250-89,90,91,92,94, 95, 96 and all corrected items from last month.** Video can be seen at <https://www.youtube.com/watch?v=H9STLYzQdMs>

ADJOURNMENT

MM Dean Michael, 2nd Juliano that the Town Board adjourns the meeting. at 8:50 PM.

Respectfully Submitted, Dean Michael, Councilmember & Zoning Revision Chair