

DRAFT
JOINT TOWN/VILLAGE OF CLAYTON
PLANNING BOARD MINUTES
April 12, 2007

At 7:00PM Chairman Baril opened the regular meeting of the Joint Town/Village of Clayton Planning Board with the following board members present:

Bud Baril, Paul Heckmann, Ron Duford, Alternate Phil Randazzo sitting in for Larry Aubertine, Alternate Gail Richardson sitting in for John Kehoe

Others present included: ZEO Henry LaClair and recorder Diane Clark

Townspeople present: Angela Seymour, Jeffrey Cohen, John Buker, Colin Kehoe, Connie O'Neill, Linda Brown, Myrna Carter, Donna Dundon, Charles Foster, Don Lingenfelter, Norma Zimmer, Adam Parliament

Chairman Baril asked the board to designate Preston Lowe as acting chair in the event that neither he nor Vice Chariman, Larry Aubertine was available for a meeting. **MOTION** was made by Phil Randazzo, 2nd by Ron Duford to accept Preston Lowe as acting Chair.

Aye: Baril, Duford, Randazzo, Richardson, Heckmann

Nay: None Abstain: None Absent: Lowe, Eppolito, Aubertine

Minutes: The minutes from March 8, 2007 were postponed for review due to a lack of quorum.

7:15PM - Village – Jeffrey Cohen, 1061 State St. Tax Map # 20.62-1-9 in the Marine-Development District. Public Hearing, SPR to alter an existing site plan at Bayside Marina.

The board reviewed the application, determined there was a SEQR on file of which an addendum will be made to it to add garage doors and fence along the property line. **MOTION** was made by Paul Heckmann, 2nd by Ron Duford to consider this a negative declaration, an unlisted Action under the SEQR Law.

Aye: Baril, Duford, Randazzo, Richardson, Heckmann

Nay: None Abstain: None Absent: Lowe, Eppolito, Aubertine

7:20 PM -MOTION made by Chairman Baril, 2nd by Phil Randazzo to open the Public Hearing. Motion carried.

Mr. Cohen addressed the board with his alteration plans. He indicated the doors would be white overhang doors. The bays would be used for boat storage and one bay would be kept as a workshop which may be heated. He indicated that he would probably put cement flooring in the

entire overhang area. Neighbor Myrna Carter, encouraged cement flooring to ensure the doors would close properly and asked that Mr. Cohen not place boats longer than the bay where the door would have to be left ajar. Mr. Cohen stated he would not do that and that would be defeating the purpose of putting the doors on in the first place. The board asked Mr. Cohen about his fence plans. He indicated it would be a wood stockade fence professional installed and would be the same length as the line of trees he tried to plant there previously without any success. The board stated it would have to be whatever length the original application indicated. Mr. Cohen said he would comply. Chairman Baril read letters of concern about the fencing from neighbors Donna Dundin, Myrna Carter and Angela Seymour. Board alternate, Phil Randazzo mentioned that the LWRP has discussed the gateway into the village and would prefer to see natural plantings instead of a fence and maybe he should consult with a professional to see if a different type of tree/hedging would do better in that type of soil. Mr. Cohen reiterated he tried planting trees and they died because the soil consists mainly of clay and didn't want to go through that expense again. Mr. Lingenfelter, a property abutter, asked that Mr. Cohen place his fence several feet in on his property line so that he could maintain the fence without going on Mr. Lingenfelter's property. The board said they couldn't ask Mr. Cohen to do that and hopefully, as a good neighbor, Mr. Cohen would work that out with him. The board determined some guidelines that Mr. Cohen must follow in order to approve the application. Alternate Board Member, Gail Richardson stated she was not comfortable with this approval based on the lack of information about the fence material from Mr. Cohen. The board stated the following conditions must be met:

The stockade fence needs to be set 3 ft. in the ground with 4 x 4 pressure treated posts set in concrete. It cannot be taller than 6ft. It must have a natural color preservative applied. The finish side of the fence must face the neighbor's property. An alternate step design stockade fence may also be used with the same conditions. The length and location of the fence must be as described in the original site plan.

8:15PM - MOTION was made by Chairman Baril, 2nd by Ron Duford to close the Public Hearing. Motion carried.

MOTION was made by Phil Randazzo, 2nd by Paul Heckmann to accept this application with the above stated conditions.

Aye: Baril, Duford, Randazzo, Heckmann

Nay: Richardson

Abstain: None

Absent: Lowe, Eppolito, Aubertine

8:17PM – Town – Jeffrey Cohen Co. Rt. 12 near Co. Rt 5, Tax Map # 42.00-1-12.6 in the Agricultural- Rural Residential District. Public Hearing for a boat and trailer storage facility.

The board reviewed the application and completed the SEQR short form part II. **MOTION** was made by Gail Richardson, 2nd by Paul Heckmann to declare this a negative declaration, an unlisted Action under the SEQR Law.

Aye: Baril, Richardson, Duford, Randazzo, Heckmann

Nay: None

Abstain: None

Absent: Lowe, Eppolito, Aubertine

8:20PM - MOTION was made to open the Public Hearing. Motion carried.

Mr. Cohen stated he expanded an already existing road to 12' wide to the area where the trailers will be stored. He claims the trailers can't be seen from the road and he will only be utilizing 120'x 200' of the 1.614 acres for storage. He stated the cleared storage area sits 120' back from the road. Chairman Baril read a letter from Jefferson County stating the project was of local concern only. JCP offered some advisory comments for the Planning Board. Mr. Cohen stated he plans on putting a 4 x 8 ft. sign at the beginning of the driveway.

Being no further questions from the board or comments from the public, **MOTION** was made by Gail Richardson, 2nd by Paul Heckmann to close the Public Hearing at 8:30PM. Motion carried.

MOTION was made by Gail Richardson, 2nd by Phil Randazzo to accept the application as submitted.

Aye: Baril, Richardson, Duford, Randazzo, Heckmann

Nay: None

Abstain: None

Absent: Lowe, Eppolito, Aubertine

8:32PM- Lucky Kitchen (Tong Zhang) – 950 James St. Tax Map # 20.63-1-9 in the Business District. Reconvene the Public Hearing for SPR to site a restaurant in an existing structure.

Colin Kehoe, Agent for Mr. Zhang, presented to the board a scaled drawing as requested by the board at last month's meeting. The board reviewed the drawing. Some discussion ensued as to where the fence would be placed. Mr. Kehoe didn't have a stamped survey to show where the property line was and didn't know exactly where the chain link fence would go. He will consult with the owners of the property and make sure it is placed appropriately. *The board stated the application would only be approved with a complete set of drawings.* Gail Richardson asked if they had reconsidered their signage since they were made aware at the last Planning Board meeting that the sign probably wouldn't meet the new sign ordinance specifications when the law goes into effect. Phil Randazzo cautioned the board that there was not a moratorium in place at this time and that the sign was legal until the new zoning law is passed. The board had no further questions or comments and there were no comments from the Public.

8:40 – MOTION was made by Paul Heckmann, 2nd by Gail Richardson to close the Public Hearing. Motion carried.

Board member, Ron Duford stated he felt no action should be taken until the board had more time to review the site plan and the appropriate paperwork.

MOTION was made by Paul Heckmann, 2nd by Gail Richardson to approve this application with the above noted condition.

Aye: Baril, Richardson, Randazzo, Heckmann

Nay: Duford

Abstain: None

Absent: Lowe, Eppolito, Aubertine

8:45PM –MOTION was made to open the Public Hearing. Motion carried.

8:45PM – Community Bank, N.A. – 205 State St. Tax Map # 20.47-4-28.1 in the Industrial District. Public Hearing for SPR to alter an existing Site Plan to extend the bank.

Mr. Charles Foster, Agent for the bank, appeared before the board. The board reviewed the application with Mr. Foster. ZEO LaClair stated JCP didn't have to be notified of the project because the addition is less than 500 sq. ft.. There were no other comments from the board or the public.

8:50 – MOTION was made by Paul Heckmann, 2nd by Phil Randazzo to close the Public Hearing. Motion carried.

MOTION was made by Phil Randazzo, 2nd by Gail Richardson to approve the application as presented.

Aye: Baril, Richardson, Duford, Randazzo, Heckmann

Nay: None

Abstain: None

Absent: Lowe, Eppolito, Aubertine

8:50 – Town – Franklin Kirkland – Bald Rock Rd. Tax Map # 31.10-1-23.1 in the Residential 1 District. Consider a simple minor subdivision application.

The board reviewed the application. There were no additional questions or comments. **MOTION** was made by Phil Randazzo, 2nd by Gail Richardson to approve this application as presented.

Aye: Baril, Richardson, Duford, Randazzo, Heckmann

Nay: None

Abstain: None

Absent: Lowe, Eppolito, Aubertine

8:55 – Town – Gerald Ingerson – Co. Rt. 3. Tax Map # 20.15-1-1.1, #20.57-1-1.1 In the Agricultural-Rural Residential District. Pre-Application for a major subdivision in Heritage Heights. Set a Public Hearing.

The board reviewed Mr. Ingerson's plot plans. **MOTION** was made by Paul Heckmann, 2nd by Gail Richardson to set a Public Hearing date and time for May 10, 2007 at 7:15PM.

Aye: Baril, Richardson, Duford, Randazzo, Heckmann

Nay: None

Abstain: None

Absent: Lowe, Eppolito, Aubertine

Other Business: Chairman Baril suggested the board have a workshop to discuss the Zoning in the village. The board determined the **workshop** would take place on **Thursday, May 17 at 7:00PM at 425 Mary St.**

Old Business: Ron Duford updated the board about the *setback committee's* progress establishing the village setbacks. He said they are addressing the setbacks in all the districts in the village. And that they needed more information from the Riverwalk District. He said they may have to hold off on that district until the roads are in and then the setbacks can be determined. He said they would like to put all the information in table format and have it written in layman's terms so everyone can understand it. Chairman Baril thanked Ron and all the board members for volunteering their time to work on other committees for the betterment of the community.

Being no other business to discuss, **MOTION** was made by Paul Heckmann, 2nd by Ron Duford to adjourn this meeting at 9:25PM.

Aye: Baril, Richardson, Duford, Randazzo, Heckmann

Nay: None

Abstain: None

Absent: Lowe, Eppolito, Aubertine

Respectfully Submitted,

Diane Clark
Recorder