

DRAFT
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD MINUTES
MARCH 5, 2009

At 7:00 P.M., Vice-Chairman Larry Aubertine opened the regular meeting of the Joint Town / Village of Clayton Planning Board with the following members present:

Larry Aubertine, Preston Lowe, Ron Duford, John Eppolito and alternate Duane Hazelton sitting in for John Kehoe

Absent: Bud Baril, John Kehoe, Paul Heckmann and alternate Gail Richardson

Others present: Zoning Enforcement Officer Henry LaClair and Recording Clerk Janet Sullins

Townpeople present: Cindy Grant, Ken Knapp, Pat Patch, Greg Lago, Kelly Cantwell, Harold Pratt, Marla Hays, Jerry Wetterhahn and Sam Babcock

Vice-Chairman Aubertine asked for comments on the minutes of the Feb. 5, 2009 meeting. It was noted that I had left his name from the list of Board Members present. Also, Board member John Eppolito wanted a clarification on a statement regarding the new Village Zoning map. **MOTION** made by Board Member Preston Lowe, 2nd by Board Member Ron Duford to approve the amended minutes.

New business: Discussion as to whether Zoning Enforcement Officer LaClair may e-mail agenda and minutes to Board members, to save on postage. It was agreed that would be appropriate. Any other applications and pertinent information would continue to be mailed in a timely manner.

7:04---Village---Marla Hays, 747 James Street, Tax Map No. 20.55-2-7, in the Business District. Conference on her Dec. 14, 2006 Site Plan Approval for a restaurant

Ms. Hays had to delay her plans due to family matters. The Board wanted to reacquaint themselves with the plans, although no further approval was required. However, it was suggested that a letter and copy of the plans be sent to NYS DOT for review, as there may have been a change in what is required for roadcuts since that time, and which may not be able to be grandfathered in. The sign still needs a permit, although it has been approved, and the plans still need to be stamped for code enforcement.

7:15 --- Village --- North Shore Oil Company / Pat Patch, East Line Road, Part of Tax Map No. 20.57-1-1.1, in the Industrial A District. Reconvene Public Hearing for Siting a Petroleum Storage Facility

Mr. Pratt had provided the requested engineered plans to the Board. The containment dikes can be below grade or set on grade, which means the tanks would be set higher. This was decided to be the better option, as no pumps would be needed if there were a spill and the power was out for any reason. Board Member Preston Lowe said he spoke with Mr. Novak from the DEC. The DEC, after having seen the notice in the paper, did a drive-by recently of the site when it was wet. While Mr. Novak said the tanks would be registered by the DEC and inspected by them regularly, Board Member Lowe suggested to him and to the Board that the DEC at least look at the plans before continuing.

Mr. Kelly Cantwell had asked the Board to see the site when wet if possible, and several said they had. Mr. Ken Knapp asked if the tanks were previously used and if they would be pressure-tested before being utilized again. There were affirmative answers to both questions.

At 7:35, **MOTION** made by Board Member Ron Duford, 2nd by Board Member John Eppolito to close the Public Hearing. Motion carried.

With SEQR having been completed prior to the Public Hearing, **MOTION** made by Board Member Lowe to accept the plans with the stipulation that the DEC review the plans. Motion 2nd by Board Member Eppolito.

Aye: Preston Lowe, John Eppolito, Ron Duford, Larry Aubertine, Duane Hazelton
Nay: None Absent: Paul Heckmann, John Kehoe, Bud Baril Abstain: None

Mr. Pratt said that the DEC wouldn't put their stamp on them, because that could make them liable if there were problems. But, he said that if the Board wanted the DEC to review the plans, he would be amenable to that. Board Member Duford said that the DEC knows the laws better than the Board, so that is why they would like to have them review them.

Other business: Discussion on small wind turbines. Vice-Chairman Aubertine had given the Board copies of some information he received from different sources. The discussion was about changing or amending local laws, or creating a new one concerning districts, setback, sound and height restrictions.

Reminder to the Board that applications for the Tug Hill conference at Jefferson Community College can still be dropped off tomorrow at the Town Clerk's Office.

At 8:06, **MOTION** made by Board Member Lowe, 2nd by Board Member Eppolito to adjourn this meeting. Motion carried.

Respectfully submitted,

Janet Sullins
Recording clerk

