

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD MINUTES
JULY 2, 2009

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

Bud Baril, Larry Aubertine, Paul Heckmann, John Kehoe, Preston Lowe, Alternate Duane Hazelton sitting in for Ron Duford.

Absent: Ron Duford, Alternate Gail Richardson

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

Townspople present: Cindy Grant, Nancy Madsen, Jamie Lee, Les Drake

Clerk Janet Sullins handed out copies of the Board Members' comments on the Wind Committee's findings and also packets of EDR's Zoning Ordinance Guidelines

The Board reviewed the minutes from the June 4th meeting. With no changes suggested, **MOTION** made by Vice-Chairman Larry Aubertine, 2nd by Board Member John Kehoe to approve the minutes as written. Motion carried. Minutes from the March 5th meeting still stand as a draft, as there were not enough members present from that meeting to approve them.

At 7:10, Marla Hays came back before the Board regarding her pizza parlor. The Department of Transportation changed her site plan after the Planning Board approved it. The DOT eliminated one of the driveway entrances, citing the proximity of the school and side road would cause too much congestion. They also moved the building closer to the road saying that it would be easier for the waste removal truck to turn around. Board Member Paul Heckmann asked if moving the building closer to the road would make it closer than any of the neighboring houses. It would not. The Zoning Board of Appeals will revisit it at the next meeting upon ZEO Henry LaClair checking with Attorney Russell to see if that is necessary for Ms. Hays to re-apply for a permit. Zoning Board Member Les Drake suggested she contact the State Police Commissioner to see if they can reverse the DOT's decision. Otherwise, he didn't think the DOT would reverse it. The consensus of the Board is to move forward.

At 7:15, there were still not enough members present to approve the minutes of the March 5 meeting.

Other business: Chairman Bud Baril said that the ad hoc committee on renewable energy, being chaired by Augusta Withington of Fourth Coast, Inc., is progressing well. Right now they are looking at small wind turbines and site plan review, but will also be exploring solar energy, geothermal and other types. Regarding site plans and zoning, anything that doesn't fit under the guidelines for allowed use will fall under special use permits. At some point, the law would be amended to include solar-powered- and geothermal systems (if they affect village wells rather than privately-owned ones). Building codes would also come into play.

Board Member Preston Lowe is concerned about the future of abandoned turbines. There should be verbiage in the law addressing decommissioning / removal of those.

7:30 -- All but one Board Member has returned comments on the Wind Committee's findings. The Board Members are reviewing them and Chairman Baril will submit them to the Town Board for their review and response. They will not be available to the public until such time as the Town Board reviews them.

7:35 -- Paul Fritz, from Environmental Design and Research, had e-mailed Chairman Baril a set of guidelines relative to the LWRP for the Village. Concern is how development takes place, especially in relation to the Frink Site (Riverwalk C in Village Zoning.) Mr. Fritz' feeling is that the best way to create proper development is to be sure proper zoning is in place. If the site is sold, it can only be properly controlled through zoning. The Village has setbacks listed in some districts. The Zoning Board of Appeals sets them where setbacks are unlisted. Paul Fritz wants to come to the next Planning Board meeting to review the guidelines with the Board.

ZEO LaClair feels that the Planning Board should be able to set setbacks in some cases under site plan review. That would allow for flexibility whereas each developer going before the ZBA for setbacks would be a less controlled situation.

7:45 -- Regarding the new Planning Board opening, Chairman Baril said that any alternate member should be present as much as possible, to be informed on issues that run through more than one meeting. Also, that an alternate who attends all meetings should be paid as a full member. Chairman Baril read in to the record a letter from the Village Board accepting Twyla Webb as a full member. They want the Planning Board's input on this. Also, according to the letter, the Village Board thinks that Ms. Webb was on the wind committee, when in fact she was a channel for information.

At 7:55, **MOTION** made by Board Member Preston Lowe, 2nd by Vice Chairman Larry Aubertine to accept Twyla Webb to the Board as a full member. Motion carried.

7:55 -- ZEO LaClair handed out the proposed amendments just returned from Att'y Joe Russell. Recommendations on private docking facilities on Grindstone is the only item missing, as Mr. Russell did not feel he had enough information. ZEO LaClair said that he did not receive any responses to his questionnaire from the Board with their suggestions. Otherwise, Att'y Russell didn't make any real changes to the proposed amendments; he just made them orderly.

At 8:00, Chairman Baril proceeded with Part I of SEQRA (long form) for the proposed amendments. Some of the amendments made will be applied to the entire Town, not just Grindstone Island. They will be sent to the Town Board for their review and recommendations before final approval.

At 8:15, with no other business arising, **MOTION** made by Board Member John Kehoe, 2nd by Vice-Chairman Aubertine to adjourn this meeting.

Respectfully submitted,

Janet Sullins
Recording Clerk