

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD MINUTES
DECEMBER 3, 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, Ron Duford, Twyla Webb, Alternates Duane Hazelton and Gail Richardson.

Others present: Zoning Enforcement Officer Henry LaClair, Assistant ZEO/Code Enforcement Officer Richard Ingerson, Recording Clerk Janet Sullins

Townsppeople present: Cindy Grant, Ken Knapp

ZEO Henry LaClair handed the Personal Training Record for 2010 to all the board members.

Chairman Baril asked Alternate Board Member Gail Richardson to sit in for Ron Duford. He opened the meeting with a holiday welcome and refreshments for those in attendance. The Board reviewed the minutes from the November 5th meeting. There were a few corrections made to simplify issues of cottage clusters and Site Plan Review and Special Use Permits, as those issues were discussed at length at the last meeting. **MOTION** made by Vice-Chairman Aubertine, 2nd by Board Member Ron Duford to accept the minutes as amended. Motion carried.

7:10 --- Town --- Robert & Mary Connor, 16342 NYS Rte 12, Tax Map No. 20.07-2-27.1 in the Marine-Residential District. Consider Simple Minor Subdivision.

The Board questioned the dimensions given on the map against the dimensions given on the application. They did not agree, and they needed to come out to at least 30,000 square feet. ZEO LaClair said that he would double-check them and make sure they meet the requirements. With a generic SEQR on file, **MOTION** made by Vice Chairman Aubertine, 2nd by Board Member Duford to approve the application as amended.

Aye: Bud Baril, Larry Aubertine, Ron Duford, Paul Heckmann, Twyla Webb, John Kehoe

Nay: None

Absent: None

Abstain: None

7:15 --- Guy Clark --- Morris Tract Road, Tax Map No. 52.00-1-70.21, in the Agricultural-Rural Residential District. Consider Simple Minor Subdivision.

With a generic SEQR on file, and ample amount of land to subdivide, **MOTION** made by Board Member Twyla Webb, 2nd by Board Member John Kehoe to approve the application.

Aye: Bud Baril, Larry Aubertine, Ron Duford, Paul Heckmann, Twyla Webb, John Kehoe

Nay: None

Absent: None

Abstain: None

7:17 --- Town --- Donald Badour, Clayton Center Road, Tax Map No. 42.00-1-16.1, in the Agricultural-Rural Residential District. Consider Simple Minor Subdivision.

The Board briefly reviewed the submitted application. Neighbors still need to be notified, so no action could be taken.

Chairman Baril delayed the opening of the Public Hearing for a request by the Thousand Islands Land Trust as the director, Andrew Wood, had not yet arrived.

New business:

The Board discussed zoning in the Riverwalk A District. Chairman Baril referred to Site Plans in the Village's Zoning Law. He said that what is missing under Site Plans and permitted uses is single-family homes (SFH). He thought that when the zoning law was written, he thought the idea was not so much to exclude them as to include businesses. But, under the law, SFHs are non-conforming, meaning that no improvements can be made to them that would normally be allowed with a permit. Chairman Baril said that he walked the district and counted 33 residences that are affected.

Board Member Kehoe said that the intent of the law was to disallow building a single family home if a building were to be torn down or if there was a vacant lot available to build upon. They wanted to encourage businesses, however, existing homes would be allowed to stand.

Alternate Board Member Richardson said that, since there are so many existing residences, the integrity of the neighborhood should be preserved. Another suggestion was to make legal any existing SFH, so that improvements could be made.

There was a brief but spirited discussion. Chairman Baril said that he would talk to Attorney Joe Russell to see what the options would be to allow single-family homes be made legal.

Old business:

Chairman Baril said that he did write a letter to the Town Board regarding the Planning Board approving passage of the small wind law. And, rather than rewrite it, he included a highlighted portion of the draft minutes from the board meeting. He also talked to

Supervisor Taylor and his assistant, Alicia Dewey, about it. He did the same with the changing of the zoning law regarding Grindstone Island.

7:40 --- Town --- Thousand Islands Land Trust, Zenda Farm Preserve, Tax Map No. 20.13-1-12.71, in the Marine-Residential District. Public Hearing for Special Use Permit for a Hiking/Skiing/Non-motorized Public Use Trail.

Chairman Baril opened the Public Hearing with Andrew Wood in absentia. He read into the record a letter from the Jefferson County Planning Board. They were unable to make a quorum, but they said that since it was a matter of local concern, they did not foresee any problems, but they would recommend including measures to ensure the safety of pedestrians crossing Rte 12E. Chairman Baril said that he had spoken with Andrew Wood about the trail plan, which once included a Phase IV, continuing the trail onto the south side of Rte 12E. This was part of the original plan submitted in the 1980s by the former director of TILT, Aaron Vogel. Since then, the plan had been amended to include only a second loop in the forested area below Zenda Farms. The current public hearing addressed the trail on the north (Zenda Farms) side of Rte 12.

The plan does not conflict with the LWRP. The plan was originally based on the old zoning law when trails were not a permitted use. But, that use was allowed when the law was amended several years ago. It falls under Special Uses.

Part II of SEQR was completed at the November meeting.

Board Member Webb said she was concerned about the lack of trees on the preserve. She thought that if there were a windbreak of some sort, it would protect the cross-country skiers on the trail and also the people who live across Bartlett Point Road. Assistant ZEO Ingerson said that the person who mows hay there is permitted to do so in perpetuity. It is cleared to prevent brush from growing and to protect the habitat of a number of wildlife species. Apparently, Aaron Vogel had also wanted to alleviate the blowing snow using a split-rail zigzag fence that would have kept the historic feel of the preserve. More discussion followed regarding this; Special Use can request certain conditions to be met before granting the permit.

At 7:50, Chairman Baril asked for a **MOTION** to close the public hearing. **MOTION** made by Board Member Heckmann, 2nd by Vice Chairman Aubertine. Motion carried. He then asked for a motion to approve the application along with a letter to TILT saying that the Board would appreciate TILT addressing the wind issue for users of the trail and the neighbors on Bartlett Point Road. **MOTION** made by Board Member Kehoe, 2nd by Board Member Webb.

Aye: Bud Baril, Larry Aubertine, Ron Duford, Paul Heckmann, Twyla Webb, John Kehoe

Nay: None

Absent: None

Abstain: None

At 8:00, **MOTION** made by Board Member Lowe, 2nd by Vice Chairman Aubertine to adjourn this regular meeting of the Planning Board. Motion carried.

Respectfully submitted,

Janet Sullins,
Recording Clerk