

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD MINUTES
DECEMBER 4, 2008

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

Bud Baril, Larry Aubertine, John Kehoe, Preston Lowe, Ron Duford, Paul Heckmann and alternate Duane Hazelton, who is sitting in for John Eppolito

Absent: John Eppolito and Gail Richardson

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

Townsppeople present: Cindy Grant, Jae Lee, John Ford, David Brennan, Ken Knapp, Jamie Lee, Lauri Darou, Ed Higgins, Robert Connor, Mary U. Connor, Damon Kenyon, James S. Juczak, Polly Baril, Steve Yelle, Carlton Yelle, Justin Taylor

Chairman Bud Baril opened the meeting with a holiday welcome with refreshments for those in attendance. He then asked for a moment of silence to remember Bob Nortz, a prominent North Country statesman, and also the untimely death last week of Aaron Vogel, of Thousand Islands Land Trust.

He then asked for comments from the Board on the minutes from the Nov. 6, 2008 meeting. The Board found two items for clarification. At 7:05, **MOTION** made by Board Member Preston Lowe, 2nd by Board Member John Kehoe to approve the minutes with the two changes. Motion carried. Board Member Paul Heckmann abstained, as he was absent last month. Alternate Board Member Duane Hazelton also abstained, as he had not yet been sworn in.

Other business:

There was discussion of the new wind review panel. It is 98 percent complete.

Chairman Baril wanted it noted that the Village has done a great job of decorating for the holidays.

7:08 --- Town --- Steve Dorr, 36032 Clayton Center Rd., Tax Map No. 31.15-1-11.1, in the Agricultural-Rural Residential District. Consider Simple Minor Subdivision

With a generic SEQR on file, and the lots of legal size, at 7:10 **MOTION** made by Board Member Kehoe, 2nd by Vice-Chairman Aubertine to approve the subdivision as requested.

Aye: Bud Baril, Larry Aubertine, Paul Heckmann, John Kehoe, Ron Duford, Preston Lowe, Duane Hazelton

Nay: None Absent: John Eppolito, Gail Richardson Abstain: None

7:10 --- Town --- Gary Carlisle, 37878 NYS Rte 12E, Tax Map No. 30.00-2-10.1, in the Agricultural-Rural Residential District. Consider Simple Minor Subdivision

With a generic SEQR on file, and intention to join one of the subdivided lots by deed to another, **MOTION** made at 7:13 by Board Member Lowe, 2nd by Board Member Heckmann to approve the subdivision as requested.

Aye: Bud Baril, Larry Aubertine, Paul Heckmann, John Kehoe, Ron Duford, Preston Lowe, Duane Hazelton

Nay: None Absent: John Eppolito, Gail Richardson Abstain: None

7:13 --- Village --- Higgins Living Trust, 853 James St., Tax Map No. 20.55-2-11.1, in the Neighborhood Residential District. Special Use Permit to Extend His Insurance Offices into a Larger Portion of His Building

Chairman Baril completed the SEQR while waiting time for the Public Hearing. He then asked for a motion to make this a negative declaration. **MOTION** made by Vice-Chairman Aubertine, 2nd by Board Member Kehoe. Motion carried. He then read into the record a letter from the Jefferson County Department of Planning stating that it could find no reason to deny the permit; that it would be of local concern only.

At 7:17, the Public Hearing was opened. No persons were present other than the applicant, and no letters had been received opposing the Special Use Permit. Having been absent from the last meeting, Board Member Heckmann questioned the need for the SUP for a business in Mr. Higgins' own house. It was explained that due to the Village's new ordinance for that district, a Special Use Permit was now required. Originally the business had been grandfathered in, but even if he had had a previous permit, alterations of any kind need to come before the Board.

At 7:20, **MOTION** made by Board Member Lowe, 2nd by Vice-Chairman Aubertine to close the Public Hearing. Motion carried. Upon review of the application and of standards applicable to a Special Use permit, at 7:22 **MOTION** made by Board Member Kehoe, 2nd by Board Member Duford to approve the application for the Special Use Permit.

Aye: Bud Baril, Larry Aubertine, John Kehoe, Ron Duford, Preston Lowe

Nay: None Absent: John Eppolito, Gail Richardson Abstain: Paul Heckmann, Duane Hazelton

At 7:25 there was a pre-application conference for Verizon, for a Special Use Permit to locate a telecommunications facility. In January a Public Hearing will be set for 7:15 at the February 5, 2009 meeting. Dave Brennan had sent information packets for the Board to review delineating all of the items usually covered in these matters. The proposed tower would be in Depauville, for coverage in that general area, which currently is a dead zone. Chairman Baril and some of the other board members asked questions and raised concerns germane to the area in question, including effects on the Indiana bat and other wildlife populations, and interference with other communications, e.g. digital television frequencies and possibly wind turbines.

There was a short break at 8:00

8:15 --- Town --- Robert Connor, 16342 Connor Drive, Tax Map No. 20.07-2-27.1 in the Marine-Residential District. Reconvene Public Hearing for Major Subdivision of Mobile Home Park

ZEO LaClair, and Ass't ZEO Ingerson hand out the revised map of the subdivision, which is now for five lots instead of the original six. Attorney Joseph Russell from Menter, Rudin & Trivelpiece is here on the Connors' behalf to clarify the problems that arose at the last meeting. One townspeople was still concerned with what would happen to the trailer park if one parcel in question were to be sold off, but Chairman Baril said that the matter at hand was the subdivision. And, if Mr. Connor wished to sell the other lot, he would have to come back before the Board, answering those questions at that time. When all concerns from the last meeting were satisfied, he proceeded with SEQR. At 8:18, **MOTION** was made by Board Member Lowe, 2nd by Board Member Kehoe to make this a negative declaration. Motion carried. **MOTION** made by Vice-Chairman Aubertine, 2nd by Board Member Kehoe to close the Public Hearing. Motion carried.

At 8:20, **MOTION** made by Vice-Chairman Aubertine, 2nd by Board Member Kehoe to approve the revised application.

Aye: Bud Baril, Larry Aubertine, John Kehoe, Preston Lowe, Ron Duford, Duane Hazelton

Nay: None

Absent: John Eppolito, Gail Richardson

Abstain: Paul Heckmann (who was absent from the last meeting)

Board Member John Eppolito arrives approximately 8:25, but not participating.

At 8:26 there was a question for Attorney Russell concerning the possibility of having more dockage at Grindstone Island, on private property. Presently, there are laws restricting marinas, but he said that perhaps the term marina could be redefined, or maybe an overlay district could be formed.

At 8:38, Steve Yelle came before the Board with a preliminary proposal for a small wind turbine for personal use. He brought with him Jim Juczak, who has built a house with all recycled materials and that is totally solar- and wind-powered. Mr. Juczak had a slide presentation on the wind turbines, including some examples in Germany.

New business:

Chairman Baril reminded board members that if they are going to be going on the NYC trip for the Association of Towns, that they need to have their reservations in by December 15, for transportation.

Since the next regular meeting of the board is scheduled for January 1, 2009, New Year's Day, the Board decided to change the date to the following Thursday, January 8.

At 9:10, **MOTION** made by Vice Chairman Aubertine, 2nd by Alternate Board Member Hazelton to adjourn this meeting. Motion carried.

Respectfully submitted,

Janet Sullins
Deputy Clerk