

**DRAFT**  
**JOINT TOWN/VILLAGE OF CLAYTON**  
**PLANNING BOARD MINUTES**  
**March 8, 2007**

**Board Members present:** Vice Chairman Larry Aubertine, Preston Lowe, John Eppolito, Ron Duford, Gail Richardson sitting in for Paul Heckmann, Phil Randazzo sitting in for John Kehoe

**Others included:** ZEO Henry LaClair and Recorder Diane Clark

**Townspeople:** Mike Aubertine, Charles Foster, Jeff Cohen, Al McMurtrie, Norma Zimmer, Fred Jackson, Charles Foster, Jack LaRue, Pat Shanahan, Colin Kehoe, Tong Zhang, Myrna Carter, Donna Dundon

Vice Chairman Larry Aubertine opened the Public meeting at 7:00PM.

**Minutes from the Planning Board meeting of February 8, 2007** were reviewed. Being no corrections, **MOTION** was made by Phil Randazzo, 2<sup>nd</sup> by John Eppolito to accept the minutes as written.

Aye: Lowe, Duford, Eppolito, Randazzo, Richardson

Nay: None

Abstain: Aubertine

Absent: Baril, Heckmann, Kehoe

**Minutes from the Planning Board workshop of February 22, 2007** were reviewed. Ron Duford asked that his question to Mr. Moore in regards to this windfarm project *being viable without government funding* be included in the minutes. And Mr. Moore's answer of *not sure of the economical outcome of this project* be included as well. Page 2, last paragraph should state: PPM Consultant Enders stated they will provide Public Hearing notification post cards for the mailing to *all of Clayton and Orleans landowners*. Being no further changes, **MOTION** was made by Ron Duford, 2<sup>nd</sup> by Gail Richardson to accept the amended minutes.

Aye: Lowe, Duford, Randazzo, Richardson

Nay: None

Abstain: Aubertine, Eppolito

Absent: Baril, Heckmann, Kehoe

**7:20PM – Village- Hotel St. Laurent, 500 Theresa St. Tax Map # 20.46-2-1,3 & 4 in the Marine Development District. Reconvene Public Hearing. SPR to complete SEQR long form. Consider approval of the SPR.**

Architect/Agent Michael Aubertine stated that SHIPPO has verbally approved the project and will be sending a letter stating such. The gas dock location and the width of the docks have not been resolved. The ZBA has approved the setbacks and height variance. Vice

Chairman, Aubertine asked Mr. Aubertine if he had the letters for approval of additional off premise parking locations that the board requested at the last meeting. Mr. Aubertine said he had one letter and is waiting for the other two. He expects to have them all by the next Planning Board meeting. The board determined the SEQR was complete.

**MOTION** was made by Larry Aubertine, 2<sup>nd</sup> by John Eppolito to consider this a negative declaration, an unlisted Action under the SEQR Law.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**MOTION** was made to close the Public Hearing at 7:30. Motion carried.

**MOTION** was made by John Eppolito, 2<sup>nd</sup> by Phil Randazzo to approve this project.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**7:32 – Village – Community Bank, N.A. 205 State St. Tax Map # 20.47-4-28.1 in the Industrial District. Pre-application conference for SPR to alter an existing Site Plan to extend the bank.**

Charles Foster, agent for the bank, showed the board his plans for the addition. He stated the addition would be 12ft. X 30ft. on the south side. The space would be used for an office and storage. Being no further questions or comments, the board completed the SEQR short form. **MOTION** was made by Phil Randazzo, 2<sup>nd</sup> by Preston Lowe to declare this a negative declaration, an unlisted Action under the SEQR Law.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**MOTION** was made by Phil Randazzo, 2<sup>nd</sup> by Gail Richardson to set the Public Hearing date and time for April 12, 2007 at 7:15PM.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**7:40 –Town - Baptist Church, Tax Map # 20.113-1-21 in the Marine-Residential District – Consider SUP Approval of Baptist Church if applicant has new information on the archeological review.**

Vice Chairman Aubertine read a letter from the office of Parks, Recreation and Historic Preservation (OPRHP). It stated in summary that “there should be no ground disturbing activities on the remainder of the property without Phase 1B testing and OPRHP’s ability has been foreclosed to provide comments on the potential for this project to impact historic properties eligible for inclusion on the State and National Registers of Historic

Places.” The board discussed the letter and project. **MOTION** was made by Preston Lowe, 2<sup>nd</sup> by Phil Randazzo to approve the application.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson

Nay: None

Abstain: None

Absent: Baril, Heckmann, Kehoe

**7:50 – Village - Tong Zhang - Lucky Kitchen Chinese Restaurant Tax Map # 20.63-1-9 950 James St. in the Business District. Public Hearing for SPR to site a Restaurant in an existing structure.**

The board completed Part II of the SEQR.

**MOTION** was made by Phil Randazzo, 2<sup>nd</sup> by Preston Lowe to declare this a negative declaration, an unlisted Action under the SEQR Law.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson

Nay: None

Abstain: None

Absent: Baril, Heckmann, Kehoe

Colin Kehoe, agent for Mr. Zhang presented hand sketches of their proposed signage to the board. Mr. Kehoe stated the Lucky Kitchen sign would be 18 ft. long by 18in. wide. They would also like to have two 30in x 30in. lit window signs, stating “Open” and “Chinese Food”. Gail Richardson cautioned Mr. Kehoe that the sign ordinance was going to be changed and that their proposal probably wouldn’t fit in with the new law. Mr. Kehoe stated they would comply with whatever the law allows. He stated they would like to put a 4ft. chain link fence on the north side between the restaurant and Fred’s Quik Lube to prevent vehicles from cutting through and parking on the neighboring property. He said they would like to eliminate one of the curb cuts. Ron Duford said the DOT would also like the cut removed between the Lucky Kitchen property and Family Dollar Store as well which is the responsibility of the property owner. Mr. Kehoe said they would contact the DOT. He asked if they could hold off doing any of the outside work until the weather breaks. The board concurred. Vice Chairman, Aubertine read a letter from the Jefferson County Planning Board and their recommendations for the project. The Board suggested Mr. Kehoe present a scaled drawing, similar to the interior drawing presented prior to the Public Hearing. Mr. Kehoe stated he would do so.

**MOTION** was made by Ron Duford, 2<sup>nd</sup> by John Eppolito to set the Public Hearing date and time for April 12, 2007 at 7:15PM or soon after.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson

Nay: None

Abstain: None

Absent: Baril, Heckmann, Kehoe

**8:05PM- Village – Jeff Cohen – 1061 State St. Tax Map # 20.62-1-9 in the Marine Development district. SPR to alter an existing site plan at Bayside Marina**

Mr. Cohen stated he has already poured the concrete and would like to put approximately 5 doors on the lean-to. He said they would be 10ft and 16ft. wide, white, overhead doors

that would be professionally installed. He stated one area would be heated and used for a workshop. He would also like to put a 5-6ft tall white, wood picket fence along the eastern property line. He said he had originally tried planting a few trees but they died due to the soil contained too much clay. The board requested that Mr. Cohen return to the Public Hearing with the exact height, length and type of material he plans to use.

**MOTION** was made by Preston Lowe, 2<sup>nd</sup> by Ron Duford to set the Public Hearing date and time for April 12, 2007 at 7:15PM or soon after.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

Mr. Cohen asked the board if he could store boat trailers at the property he acquired on Rt 12 just past Ct. Rt. 5. in the town of Clayton. He stated the trailers would not be seen from the neighboring homes. The Board stated they would like to do a site visit and revisit the law before making a determination.

**MOTION** was made by Preston Lowe, 2<sup>nd</sup> by John Eppolito to set a Public Hearing date and time for April 12, 2007 at 7:15PM or soon after.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**8:45PM – Town – Dennis Parker – 20836 Depauville Rd. Chaumont. Tax Map # 52-1-38 in the Agricultural-Rural Residential District. Consider a Simple Minor Subdivision**

The board reviewed the application and noted there is a Generic SEQR on file. Being no questions or comments from the Public, **MOTION** was made by Preston Lowe, 2<sup>nd</sup> by Gail Richardson to approve the application as presented.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**8:50PM- Town – Steven Jones – 13535 House Rd.. Tax Map # 30.00-3-5.1 in the Agricultural-Rural Residential District. Consider a Simple Minor Subdivision**

The board reviewed the application and noted there is a Generic SEQR on file. Being no questions or comments from the Public, **MOTION** was made by Preston Lowe, 2<sup>nd</sup> by John Eppolito to approve the application as presented.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**8:53PM – Town – Janice McPhail – 41180 Cross Island Rd. Tax Map # 12.17-1-25.1 in the Marine-Residential District. Consider a Simple Minor Subdivision**

The board reviewed the application and noted there is a Generic SEQR on file. Being no questions or comments from the Public, **MOTION** was made by Gail Richardson, 2<sup>nd</sup> by Preston Lowe to approve the application as presented.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**8:55PM – Town – Patricia Zicari – 38157 Ledgewood Lane. Tax Map # 19.19-1-2.5 in the Marine Residential District. Consider a simple minor subdivision.**

The board reviewed the application and noted there is a Generic SEQR on file. Being no questions or comments from the Public, **MOTION** was made by Preston Lowe, 2<sup>nd</sup> by John Eppolito to approve the application as presented.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**9:00PM – Town – Everett Foster – Quebec Head Lane. Tax Map # 19.18-1-6 & 13 in the Marine Residential District. Consider a Simple Minor Subdivision.**

The board reviewed the application and noted there is a Generic SEQR on file. Being no questions or comments from the Public, **MOTION** was made by Phil Randazzo, 2<sup>nd</sup> by Gail Richardson to approve the application as presented.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**9:05PM – Town – Catherine A. Strader Estate – 17412 County Route 12. Tax Map # 42.00-2-27.1 in the Agricultural-Rural Residential District. Consider a Simple Minor Subdivision.**

The board reviewed the application and noted there is a Generic SEQR on file. Being no questions or comments from the Public, **MOTION** was made by Preston Lowe, 2<sup>nd</sup> by Gail Richardson to approve the application as presented.

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson  
Nay: None                      Abstain: None                      Absent: Baril, Heckmann, Kehoe

**Other Business:** Gail Richardson mentioned to the board that she and Preston Lowe are on the sign ordinance committee and are making progressing. They will need to meet a few more times before they are ready to do the SEQR and hold a Public Hearing.

**New Business:** Ron Duford said he received a letter from Koffee Kove owner, Lorie Durand, asking about the continuation of sidewalk improvements from the DOT on James St. He stated the DOT has approved the project but the funding will have to come from the State, Village and Business owners.

Ron Duford also mentioned that the state has a site plan for work on the docks. They haven't heard from the Village as to how the project is progressing. He suggested the

Village may need to reapply for permits because of the time limit. He said they can remove the completed portion from the permit.

Being no other business to discuss, **MOTION** was made by Preston Lowe, 2<sup>nd</sup> by Gail Richardson to adjourn this meeting at 9:20PM

Aye: Aubertine, Lowe, Duford, Eppolito, Randazzo, Richardson

Nay: None

Abstain: None

Absent: Baril, Heckmann, Kehoe

Respectfully submitted,

Diane Clark  
Recorder