

**APPROVED
JOINT TOWN/VILLAGE OF CLAYTON
PLANNING BOARD MINUTES
JULY 5, 2012**

The meeting opened at 7 PM with the following members present: Bud Baril, Larry Aubertine, Paul Heckmann, Preston Lowe, Ron Duford, Duane Hazelton, John Kehoe (Alternate) setting in for Brian Jones (absent), John Neuffer (Alternate) & Doug Rogers (Alternate).

Others Present: Zoning Officer Henry LaClair; Town Clerk Kathy LaClair.

Townspeople Present: Linda Brown, Don Lingenfelter, Judy Pinchin, Robert Pinchin, William H. Schebaum (Pinchin Attorney), Ron Cooper, Jeffrey Cohen, Norma Zimmer (Village Mayor), Deborah Neuroth, David Neuroth, Andrew Greene, Jane Carver, Michael Ringer, Mathew Hardy, Melissa Ringer-Hardy, Wendell Yerdon, Herman Verdegaal, John Verdegaal, Cindy Grant.

The minutes from the June meeting were reviewed and a **Motion** was made by Larry Aubertine, seconded by Doug Rogers. Motion Carried.

7:01--- Village--- Robert & Judy Pinchin, 1100 State St., Clayton, Tax Map #20.54-1-15.1 & 15.2, in the Marine-Development District. Public Hearing for Site Plan Review of new office building.

Mrs. Pinchin approached the Board and asked to update their Site Plan. Mr. & Mrs. Pinchin have already received an approval from the Joint Zoning Board of Appeals for a front yard variance of 66' and an East side yard variance of 17'. The JZBA also conditioned that the applicant has sixty days after the Planning Boards decision to move the building to the proposed location after the tree is removed.

Mrs. Pinchin advised this Board that in removing the tree and moving the building to the newly designated spot would in fact partially obstruct the approach to the launching ramp, which they don't want to do. Mrs. Pinchin showed pictures of the area to the Board. She explained that their had been some objections to the current location of the building as evidenced by two letters dated July 16, 2012, that had been submitted. The letters had indicated that the current location would block the views of a couple units at the Townhouses and the proposed building of the new townhouses.

Chairman Baril indicated that this Board cannot alter what the joint Zoning Board of Appeals has determined. Mrs. Pinchin would need to revisit and plead their case to the ZBA.

Mrs. Pinchin decided to withdraw this application before the Joint Planning Board this evening and re-apply to the JZBA.

The Public Hearing was not opened as the applicant withdrew her application.

7:13---Village---Mathew & Melissa Hardy, Bella's, 602 Riverside Drive, Clayton, Tax Map #20.38-1 7, in the Riverwalk B district. Public Hearing for Site Plan Review of additional deck seating for Restaurant, including accessibility by a wheel chair ramp.

Chairman Baril read a letter from Jefferson County, who met on June 26th and reviewed this project, that was referred pursuant to General Municipal Law, Section 239m. Jefferson County Planning

adopted a motion that the project does not have any significant County-wide or Intermunicipal issues and that it was of local concern only.

The County Planning Board did note that pursuant to Article V, section 132-17 of the Village of Clayton Zoning Law, the local board should ensure that any lighting proposed for the new seating area does not negatively affect neighboring properties. This is only an advisory comment and was not a condition of the County Planning action. The local Board is free to make its final decision.

Andrew Greene, builder for the Hardy's, apologized for the misunderstanding concerning the need for appropriate permits for building the decks.

Board member Heckmann inquired of increasing the size and/or occupancy, are the current bathrooms and cooking area sufficient and meet the Codes standards for the increase? The answer was yes, with further explanation that normally the back deck(s) will be used and the two new deck(s) will be used for special occasions mostly.

Public Hearing opened at 7:23 PM: Michael Ringer (Father & Father-in-law of Melissa & Mathew Hardy), explained that Clayton is moving in the right direction and that project is a plus to the downtown area, by cleaning up dirt filled parking area and creating job(s). the trash bins have been moved to the other side of the street, as have the parking for the Woodley-Dee business and apartments upstairs of the restaurant.

David Neuroth and Ron Cooper also spoke in favor of the project.

Board member Duford inquired if any thought had been given to removing the front sidewalk area seating? He explained that it is very tight moving in that area and difficult for pedestrians to walk through. Most people would probably prefer to sit facing the river as that is attractive than vehicle traffic while trying to eat.

Mrs. Hardy explained that she had not anticipated the removal of the front sidewalk seating area, as it had been thought it was more attractive and appealing. She might consider removal in the future, but had not as yet.

Chairman Baril asked that any Board member, when seeing a sidewalk problem or seemingly Problematic area of concern, make a list and bring it to the Walkability Committee to review for future considerations.

SEQRA (Short Form): Motion by John Kehoe, seconded by Larry Aubertine, to accept the SEQRA. Motion carried.

Motion by Larry Aubertine, seconded by Duane Hazelton, to close the Public Hearing at 7:33 PM. Motion carried.

Discussion(s) by the Board included: Street level- dried stacked laid stone wall at the deck area. Applicants can't use this area until Codes Officer gives the C of O. Lighting needs to be low level & especially at the Wheel chair ramp. No other lighting has been asked for at this time; any other lighting will need to come back to the Codes Officer and/or the Joint Planning Board for review before installing. Railings will need to go between decks, due to different grades.

Joint Board reviewed the Site Plan Review Criteria List and reviewed the Village LWRP (21 policies). Board determination that this project is a water enhanced use.

Motion by Larry Aubertine, seconded by Preston Lowe, to approve this site Plan application with the approved subdued lighting on the wheel chair ramp and that any future lighting needs to come back to the Planning Board and/or Code enforcement Officer.

Aye: Baril, Aubertine, Heckmann, Hazelton, Lowe, Duford, Kehoe (acting for Jones)

Nay: none Abstain: none Absent: Jones

Pre-application meeting--- Wendell Yerdon---17364 Hart Road, LaFargeville, NY 13656, Tax Map #52.00-1-18.21, in the Agricultural-Rural Residential District. Proposed Site Plan Review Application to site a Sporting Clays Shooting Range.

Mr. Yerdon explained the he would like to open a machine thrown Sporting Clays shooting range. Knows that it has to be 500' from any residence(s). Nothing needs to be cleared and keeping everything in the wild. Plenty of standing trees to keep noise to a minimum and protection from any residences. He is planning on building a structure for an office. This would be a controlled environment.

Planning Board members would like to know the hours of operation at the public hearing.

A question of contamination of lead to the area and any possible environmental hazards, ie: killing of trees and wildlife.

Motion by Paul Heckmann, seconded by Larry Aubertine, to set a Public hearing for August 2, 2012 at 7:00 PM for the Site Plan Review of the proposed Sporting Clays Shooting Range.

Aye: Baril, Aubertine, Heckmann, Hazelton, Lowe, Duford, Kehoe (acting for Jones)

Nay: None Abstain: None Absent: Jones

Simple Minor Subdivisions:

(1) Bartlett Point LLC, Anthony Melavenda, 39447 Bartlett Point Rd, Tax Map #20.13-1-11. This would be a two (2) lot subdivision in the Agricultural-Rural Residential District.

Chairman Baril stated that there is a Generic SEQRA on file.

The two lots are a simple land swap. Discussion by the Board with consensus that they would approve as long as the smaller property is joined to the main properties.

Motion by Preston Lowe, seconded by Larry Aubertine, to approve this division with the condition of the approval that parcel "B" of Tax Map #20.13-1-11 be combined by deed to Tax Map parcel #20.13-1-10, and the small portion of Tax Map #20.45-1-15.2 be combined by deed to Tax Map parcel #2013-1-11.

Aye: Baril, Aubertine, Heckmann, Hazelton, Lowe, Duford, Kehoe (acting for Jones).

Nay: None Abstain: None Absent: Jones

(2) Helen Davis, 17355 County Route 181, Tax Map #31.00-2-12.1. This would be a two (2) lot subdivision in the Agricultural-Rural Residential District.

Chairman Baril stated that there is a Generic SEQRA on file.

Discussion by the Board that lot #2 needs to be joined by deed to Tax Map 31.00-2-12.2 or provide an easement to lot #2.

Motion by Preston Lowe, seconded by Duane Hazelton, to approve this division with the condition of approval being that lot #2, be combined by deed to Tax Map parcel 31.00-2-12.2.

Aye: Baril, Aubertine, Heckmann, Hazelton, Lowe, Duford, Kehoe(acting for Jones).

Nay: None Abstain: None Absent: Jones

ZEO Handouts:

(1) Subdivision application by Kenneth Alberry --- two (2) lot subdivision in the Agricultural-Rural Residential district.

(2) Special Use Permit Application by Mark Gawron--- to build a dog kennel, to board dogs and operate a dog training facility.

(3) Distribute "Talk of the Towns".

Grindstone Island School House: NYS Office of Parks, Recreation and Historic Preservation, following review, has written the Town of Clayton and has recommended to the Commissioner of Parks, Recreation and Historic Preservation, who is the NYS Historic Preservation Officer (SHPO), that the property o Grindstone Island Upper Schoolhouse be listed on the NYS Register of Historic Places and nominated to the National Register of Historic Places.

After reviewing the nomination, the SHPO had agreed with the recommendation of the State Review Board and has listed the property on the State Register of Historic Places and will now forward the nomination to the Keeper of the National Register in Washington, D.C.

If the Keeper of the National Register approves the nomination, the property will be listed on the National Register. The Town will be notified when the decision is made.

Town of Clayton Zoning Map Amendment: Scenic Protection Overlay District Overlay/LWRP:

Discussion of several points in this document. Chairman Baril advises that all should take this home and review it. The Town is having a Public Hearing on this next Wednesday night at 5 PM. Attend the meeting if possible to give any guidance. The Town Board may not vote on this document that night, but can take input.

NYS Route 12: Board member Duford discussed the directive from the State Attorney General for the NYS DOT to get rid of the Village of Clayton Street(s). This will have a major impact on the Village, who now get approximately \$14,000 a year for plowing down James Street, across Riverside Drive and back up Webb Street (the Loop). We now need to work with NYS DOT Mike Graham concerning some problematic areas ie: James St. @ High St. @ the crossing area; Webb St. @ the light (turning lane, right on red). These should be brought to the Village Board and worked out and funded by the State, before the State turns everything over to the Village.

Motion by Preston Lowe, seconded by Duane Hazelton, to adjourn this regular meeting at 8:45 PM. Motion carried.

Respectfully Submitted,
Kathleen E. LaClair, Town Clerk