

**APPROVED**  
**JOINT TOWN / VILLAGE OF CLAYTON**  
**PLANNING BOARD MINUTES**  
**DECEMBER 2, 2010**

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, Ron Duford, Preston Lowe, Paul Heckmann, Twyla Webb and Alternate Duane Hazelton, sitting in for John Kehoe.

**Others present:** ZEO Henry LaClair and Kelly Hamlin, Clerk.

**Townspeople:** Don and Rosemary Bell, Cindy Grant, Richard Powers, Amy Fox, Bob Cantwell, Ken Knapp.

The minutes from the November meeting were reviewed. Chairman Baril asked for a motion to accept the minutes as amended. **MOTION** made by Board Member Twyla Webb, 2<sup>nd</sup> by Board Member Ron Duford to accept the minutes as amended. Motion carried.

Before opening the public hearings, Chairman Baril gave brief directions on procedure.

Chairman Bud Baril received an e-mail from Martin Percy, NYS DOT regarding Setback requirements. The Highway Design Manual, Appendix 5Q, which stipulates a 15' setback from the State highway boundary and the near edge of a building, structure, or appurtenance servicing vehicular traffic. Also the State Right-Of-Way is four rods or 66' along the section of Route 12. This means that the highway boundary is going to be 33' either side of the Route 12 centerline. As such, the highway boundary plus 15' setback is roughly 50' from the highway centerline. This offset shall be sufficient to preclude the servicing and parking of vehicles on State property.

The Town of Clayton attorney has stated that the pay to the Planning Board members will be changing slightly. The Zoning board members will no longer be considered vendors. They will now be considered Employees of the town. Board members may be paid quarterly. Chairman Baril will negotiate with the Town of Clayton Officials to see if board members can be paid every six months. Chairman Baril will follow up on this and report back to the board.

**7:15 --- Village --- Amy Fox, Corner of James Street and East Line Road, Tax Map No. 20.55-2-18.2 in the Neighborhood-Residential. Pre application Conference.**

Mrs. Fox is having issues with the setbacks on the James Street side. The front street must have 110' of road frontage. As of this date the James Street side has 93' of road frontage. Mrs. Fox has met with Jefferson County Officials and will start paperwork to return 17' and bring setbacks back to original site plan. There will be two entrances off Route 3, one towards the front and one

towards the back. NYS and Jefferson County ok to go ahead. Wet wells possibly filled with stone so that water will be absorbed and not running towards neighbor's property. Water runoff will run to the back of the property, not towards NYS Route 12. Elevation of slab will be 18 inches compared to existing land. Land will be 2-3 feet lower than NYS Road. There was some discussion of the parking lot. Some discussion of tying into existing sewer. Mrs. Fox would like to move signage from existing building to the new building. Mrs. Fox will look at the Village Law to make sure sign is ok for the new building.

**7:33** Chairman Bud Baril opened the public hearing. Chairman Baril asked if the board members had any comments or questions. Board member Twyla Webb wanted to know if the appearance of the building would look metal. The building will not look metal. Chairman Bud Baril read a letter of support from the Cerow Recreation Park. There were no calls or letters of opposition, so Chairman Baril proceeded with SEQR. At 7:33 he asked for a motion to make this a negative declaration. **MOTION** made by Larry Aubertine and seconded by Preston Lowe. Motion carried. He then asked for a motion to close the public hearing. **MOTION** made by Preston Lowe and seconded by Duane. Motion carried. There was some discussion regarding LED lights and signage. The plan for the lighting will be downcast lighting. Some discussion of a trash receptacle. If there is a trash receptacle outside will need to screen fencing around it. Some discussion regarding landscaping. At 7:59, Motion made by Larry Aubertine and seconded by Ron Duford, that the project be approved with the following conditions: 1. Downcast lighting for safety and security, 2. If outside trash receptacle is needed, it must be enclosed with screen fencing, and 3. Any drainage problems will be coordinated with the Town of Clayton and Jefferson County.

Aye: Bud Baril, Larry Aubertine, Preston Lowe, Ron Duford, Paul Heckman, Twyla Webb,  
Duane Hazelton  
Abstain: None                      Absent: John Kehoe  
Nay: None

**8:00-Town-Donald and Marjorie Prosser, May Irwin Road, Tax Map No. 12.20-2-42 in the Marine Residential District. Application requesting a two lot subdivision.**

The dimensions of the subdivision meet the established requirements. There are wetland areas behind the property. A Generic SEQR was done by Chairman Baril. There was a **MOTION** by Paul Heckman to approve the subdivision. It was seconded by Twyla Webb.

Aye: Bud Baril, Larry Aubertine, Preston Lowe, Ron Duford, Paul Heckman, Twyla Webb,  
Duane Hazelton.  
Abstain: None                      Absent: John Kehoe  
Nay: None

Chairman Bud Baril explained that the Joint Town & Village of Clayton Comprehensive Plan has a brief survey. The survey has 7 questions and need as many people as possible to fill it out. Surveys were passed out to board members and townspeople.

National Oceanic Atmospheric Administration (NOAA) has already done what they can for our Town. They would like us to recommend another small town that could use their services. Chairman Bud Baril contacted the Planning Board Chairman in Hammond to see if they would be interested.

Before discussions of changing a MR to MD district, Chairman Bud Baril explained that this is a public meeting, not a public hearing. This Board is a recommending body to the Town Board. The Town Board will decide if they would change zoning. This is a Type I Action for SEQ. Chairman Baril filled out section I of the form. Some discussion as to what MR and MD allows in each district. Chairman Baril asked the townspeople what their concerns were. Mrs. Rosemary Bell has a major E coli in her well water. Mrs. Bell fears that increased traffic will impact their land and health. Mr. Dick Powers well has been tested and it has E coli problem as well. Chairman Baril had extensive discussions with townspeople. Chairman Bud Baril asked for a motion recommending that Zoning change from MR and MD as indicated on map, except the line between MR to MD be moved back 300 feet from the south side of the easement of Jackson Road. **MOTION** was made by Larry Aubertine and seconded by Preston Lowe.

Aye: Twyla Webb, Larry Aubertine, Preston Lowe, Paul Heckman, Bud Baril, Ron Duford, Duane Hazelton. Nay:  
None            Abstain: None            Absent: John Kehoe

**Motion** to adjourn by Duane Hazelton and seconded by Larry Aubertine. All in favor. Motion carried.

Respectfully Submitted,  
Kelly Hamlin  
Recording Clerk

