

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD MINUTES
June 7, 2012

The meeting opened at 7 p.m. with the following **members present:** Bud Baril, Larry Aubertine, Paul Heckmann, Ron Duford, Duane Hazelton, Alternate John Neuffer, Alternate John Kehoe sitting in for Preston Lowe, and Alternate Doug Rogers sitting in for Brian Jones. Members absent: Preston Lowe and Brian Jones.

Others Present: Code Enforcement Officer Richard Ingerson; Recording Clerk Susan Kenney

Townspeople Present: James Lettiere Jr., Michael Aubertine, Judy Pinchin, John Heaslip, James Kenney, Deanne Henry, Les Henry, Cindy Grant

The minutes from the May meeting were reviewed and some corrections pointed out. At 7:06 **MOTION** made by Larry Aubertine, 2nd by Paul Heckmann, to accept the minutes as amended. Motion was carried.

7:07 --- Town --- Michael Aubertine, 40164 NYS Rte. 12, Clayton, Tax Map #20.11-2-12.14, in the Agricultural-Rural Residential District. Site plan review to set up a destination farm/distillery.

Mr. Aubertine did the presenting. He plans to set up a distillery using local products, located next to Bach's. The plans have changed slightly since the pre-application hearing last month: the parking lot and the initial building have been switched so that the building is now well over 100 feet back from the road. He plans on three phases, with Phase 1 being the initial building, about one-third retail and two-thirds manufacturing. Phase 2, probably in about two years or so, would be an aging warehouse for whiskey, and Phase 3, if necessary, would be an expansion of the retail end. Total square footage of all three phases would be well within the 10,000 sq. ft. cut-off in the proposed LWRP.

It was proposed that if the Board approved the additional 5,600 sq. ft. of the latter two phases now, Mr. Aubertine would not need to come back before the Board unless he changed plans or locations. It was further noted that Mr. Aubertine did not need to come before the Board at all, since his property is in the Agricultural-Rural Residential District, and the proposed distillery is a covered usage in that district. He came only to make sure that everyone was aware of what was going on. Further, the property is in the scenic overlay district, which has not been approved yet, but Mr. Aubertine is working to include several features from the overlay's guidelines anyway.

For screening, he plans to have a sawtooth fence in the front of the lot, and will probably have a number of plantings. He is looking at about an acre of fruit trees in the future for making brandy. In answer to questions, he related that the by-products of production would either be fed back to cows or made into hand sanitizer.

At 7:25 Chairman Baril did the SEQR. **MOTION** was made by Larry Aubertine, 2nd by Doug Rogers (sitting in for Brian Jones) to declare this a negative declaration. Motion was carried. **MOTION** was made by Larry Aubertine, 2nd by John Kehoe (sitting in for Preston Lowe) to close the public hearing. Motion was carried.

A letter was read from the county, declaring that this was of local interest only, with a few suggestions concerning parking, etc.

The question was brought up of what the proposed additional buildings would look like, and what their elevations would be, etc. The hearing was briefly tabled until Mr. Aubertine could supply pictures of what was intended.

7:33 --- Village --- Robert & Judy Pinchin, 1100 State St., Clayton, Tax Map #20.54-1-15.1 & 15.2, in the Marine-Development District. Pre-application conference for site plan review of new office building.

Mrs. Pinchin did the presenting. They wish to place a new building to increase the current office space on their property. The building was previously a storage barn and was placed near the waterfront, in line with the existing building. But the existing building is too close to the property line; although it may have been grandfathered in, the new building cannot be. Some of the neighbors also object to the placement of the new building. It was noted that any business that expands must come before the Board.

Due to the particulars of this application, both a change of site plan and an establishment of setbacks must be done. The Planning Board will consider referring the application to the Zoning Board of Appeals (ZBA) to establish the setbacks and to do SEQR. Chairman Baril read a letter from the ZBA about assuming lead agency in the application process.

At 7:43 **MOTION** was made by Larry Aubertine, 2nd by John Kehoe, that the Planning Board does not object to the ZBA assuming lead agency. No comments for the ZBA were appended to the motion.

Aye: Bud Baril, Larry Aubertine, Paul Heckmann, Duane Hazelton, Ron Duford, John Kehoe (acting for Preston Lowe), Doug Rogers (acting for Brian Jones)

Nay: none Abstain: none Absent: Preston Lowe, Brian Jones

Further Planning Board action on this application will be held until July, after the ZBA's meeting in June

7:49 --- return to Aubertine application

Mr. Aubertine supplied pictures of the first building to be erected, but had none of the secondary phase. For this reason, and to ensure all applicants to the Board are treated equally, it was determined that Mr. Aubertine will need to come back to the Board for approval of Phase 2.

At 7:57 **MOTION** was made by John Kehoe, 2nd by Larry Aubertine, to approve Phase 1 of the application with the additional 5600 sq. ft. of buildings and location as shown, but he must return to the Board for approval of the renderings of Phase 2. He must also add one handicapped parking spot to the project.

Aye: Bud Baril, Larry Aubertine, Paul Heckmann, Duane Hazelton, Ron Duford, John Kehoe (acting for Preston Lowe), Doug Rogers (acting for Brian Jones)

Nay: none Abstain: none Absent: Preston Lowe, Brian Jones

7:57 --- Town --- Wayne & Lynn Abare, 31820 Miller Road, Clayton, Tax Map #52.00-1-24.6, in the Agricultural-Rural Residential District. Simple Subdivision.

There is a generic SEQR on file. The subdivision meets all size requirements.

MOTION was made by Duane Hazelton, 2nd by Doug Rogers, to approve the subdivision.

Aye: Bud Baril, Larry Aubertine, Paul Heckmann, Duane Hazelton, Ron Duford, John Kehoe (acting for Preston Lowe), Doug Rogers (acting for Brian Jones)

Nay: none Abstain: none Absent: Preston Lowe, Brian Jones

7:59 ---

Mr. Lettiere did the presenting. The parcels will be deeded to each property, and the tax maps combined, so that there will be only one tax number for each in the end.

There is a generic SEQR on file.

At 8:01, **MOTION** was made by Larry Aubertine, 2nd by Duane Hazelton, to approve the application.

Aye: Bud Baril, Larry Aubertine, Paul Heckmann, Duane Hazelton, Ron Duford, John Kehoe (acting for Preston Lowe), Doug Rogers (acting for Brian Jones)

Nay: none Abstain: none Absent: Preston Lowe, Brian Jones

8:02 --- Town --- Bearup subdivision

There is a generic SEQR on file; all lots are of legal size.

At 8:04, **MOTION** was made by John Kehoe, 2nd by Ron Duford, to approve the application.

Aye: Bud Baril, Larry Aubertine, Paul Heckmann, Duane Hazelton, Ron Duford, John Kehoe (acting for Preston Lowe), Doug Rogers (acting for Brian Jones)

Nay: none Abstain: none Absent: Preston Lowe, Brian Jones

NEW BUSINESS:

The Board looked at an application for a lot line adjustment for next month's meeting.

At 8:07, **MOTION** was made by John Kehoe, 2nd by Doug Rogers, to adjourn the meeting. Motion was carried.

Respectfully Submitted,
Susan Kenney, Recording Clerk