

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD
January 8, 2015

The meeting opened at 7:01 p.m. with the following **members present:** Chairman Bud Baril, Larry Aubertine, Preston Lowe, Duane Hazelton, Brian Jones, Doug Rogers, Alternate Fred Bach, Jr. (sitting in for Paul Heckmann), Alternate Dave Crandall. Absent: Paul Heckmann and Alternate John Kehoe.

Also Present: ZEO/CEO Richard Ingerson, Zoning Clerk Kim Johnston, and Recording Clerk Amanda Shane

Townspople Present: Dennis Horton, Steve and Susan Nuber, Don Lingenfelter, Linda Brown, Elizabeth and Scott Docteur, Rob and Judy Pinchin, John Buker, Jaime Weinberg, and Brad Minnick

The board reviewed the minutes from the December 4, 2014 meeting. One correction was made. At 7:03 PM **MOTION** was made by Fred Bach, Jr, 2nd by Duane Hazelton, to accept the minutes as amended. Motion was carried.

7:05 PM --Town--- Patricia A. Patchen, 17973 County Route 12, LaFargeville, Tax Map #42.00, Block #2, Lot #18.1, in the Agricultural Rural-Residential District. Two (2) Lot Subdivision.

MOTION was made by Larry Aubertine, 2nd by Doug Rogers, to approve the application. Motion as carried.

Aye: Baril, Aubertine, Lowe, Hazelton, Jones, Rogers, and Bach, Jr. (sitting in for Heckmann)

Nay: None Abstain: none Absent: Heckmann

7:07 PM ---Village---Thousand Islands Inn Holdings, LLC---335 Riverside Drive, Clayton, Tax Map #20.38-2-26, in the Riverwalk-B district. Site Plan Review Application.

Brain Jones did the presenting and recused himself from the vote. Dave Crandall sat in for him. Parking spaces were revamped and one (1) additional parking spot has been added totaling parking to five (5) spaces. There is talk with Mayor Norma Zimmer and the DOT for additional street parking in the future that would add one (1) additional handicap accessible parking spot on Riverside Drive in front of the establishment.

The TI Inn runs parallel to the parking area belonging to the Buker family. John Buker was present at the meeting and sharing parking amongst the Bukers, TI Inn, and the Northern Physical Therapy/Gym were discussed that additional parking spaces could be designated for guest staying at the TI Inn. It was also a concern that by adding the front porch seating that there

will more congestion on Riverside Drive, again suggesting that renting parking from the Bukers would be a potential alleviator.

Chairman Baril read a letter from the Jennifer Boss of the JCPB stating that the TI Inn is of local concern only.

7:20 PM open the floor to the public

John Buker expressed concern over the dumpster on TI Inn's property. Brian Jones explained that there would be no large dumpster anymore; instead there will be large totes used that will be stored in a screened area. While in discussion of possibly renting parking spaces from the Bukers, Mr. Buker said that it would be "doable".

Steve Nuber expressed his concern of long term parking in the village. Chairman Baril explained that there are plans for 2016 concerning the village taking over the loop and adding additional parking by the "pickle" totaling to approximately nineteen (19) additional spots. Chairman Baril asked that anyone that has any creative solutions to add additional parking to please offer their ideas.

7:27 PM Chairman Baril Presented the Seeker.

7:41 **MOTION** made by Larry Aubertine, 2nd by Preston Lowe to declare the seeker as a negative declaration. The motion was carried.

Aye: Baril, Aubertine, Lowe, Hazelton, Rogers, Bach, Jr. (sitting in for Heckmann), and Crandall (sitting in for Jones)

Nay: None Abstain: none Absent: Heckmann

7:42 **MOTION** made by Preston Lowe, 2nd by Larry Aubertine to close the public hearing. Motion carried.

Chairman Baril raised concern over the TI Inn having outdoor seating and what time outdoor venues should be closed in the village. Owners of the TI Inn explained that they do not have an outdoor venue and there will be no bar outdoors. The board further discussed that eventually there will be a law that will require businesses to close at 11:00 PM outdoors.

Outdoor lighting was also discussed amongst the board. Brian Jones explained there will be traditional lanterns and wall sconces to go along with the historic look the owners are aiming for. There is no specific designated lighting in the back of the building but there is a street light that provides light. The board also discussed beautifying the back of the building and creating some kind of oasis so that it is more aesthetically pleasing.

In order to allow the owners of the TI Inn to proceed with renovations they granted them conditional approval and must complete the following conditions before the establishment can be open for business:

1. Established outside hours of operation
2. New site plan with lighting and beautification of back area with projected time span
3. Safety stops/buffers on the North East side parking
4. Wheel stops for existing parking spots on the South West side
5. Try to work out 3-5 additional parking spaces with adjoining owner

With these conditions completed and approved by the board or Zoning Officer Richard Ingerson, the TI Inn can open for business.

8:14 PM **MOTION** made by Larry Aubertine, 2nd by Doug Rogers to approve application with conditions as stated. Motion carried.

Aye: Baril, Aubertine, Lowe, Hazelton, Rogers, Bach, Jr. (sitting in for Heckmann), and Crandall (sitting in for Jones)

Nay: None Abstain: none Absent: Heckmann

8:14 PM---Village--- Clayton Marina, storage off of Cantwell Terrace, Clayton, Tax Map #20.48-2-12.17, in the General Residential District.

Brian Jones presented. Clayton Marina would like to install three (3) new storage barns for cold dry storage only. There will be no running water or heat in these buildings. Brian Jones presented the drainage and how the buildings will be surrounded with gravel and the water will uniformly flow to a preexisting drain. There will be minimal traffic with the most being during the spring and fall. The first building will be built as soon as possible. The Clayton Marina will have eighteen (18) months to complete the other two (2) otherwise they will need to request an extension or present to the board again.

8:19 PM Open to the Public

Steve Nuber, lives on the front corner off of Clayton Marina on Cantwell Terrace. Stated he had no objection to the proposal just had some concern about the negative impact on his property. He explained that the run off from the existing storage barn is flowing to the back edge of his property and runs across the road and freezes. In addition, a large number of boats are being brought in on Cantwell Terrace in front of his house instead of being divided by the other existing back entrance. He also expressed that he was under the belief that only tractors would be using Cantwell Terrace, not tractor trailers.

The board discussed solutions to Mr. Nuber's concerns by suggesting that the area collecting water have a berm and have trees planted so that the water can be better absorbed. There was

also discussion of boats being stored outdoors. Dennis Horton, who attended the meeting representing Clayton Marina, explained that boats would be stored outdoors and centrally between the proposed storage buildings. The Board discussed planting deciduous trees to create buffer.

8:40 PM Chairman Baril presented the seeker

8:43 PM **MOTION** made by Doug Rogers, 2nd by Duane Hazelton to declare the seeker as a negative declaration. The motion was carried.

Aye: Baril, Aubertine, Lowe, Hazelton, Rogers, Bach, Jr. (sitting in for Heckmann), and Crandall (sitting in for Jones)

Nay: None Abstain: none Absent: Heckmann

8:44 PM **MOTION** made by Larry Aubertine, 2nd by Preston Lowe to close the public hearing. Motion carried.

The board discussed the following conditions to approve the application: berm and plant Evergreen trees on the North West corner up to Cantwell Terrace to mitigate collection of water on adjacent neighbor's property, Plant a minimum of three (3) deciduous trees with a minimum 1½ inch diameter along Cantwell Terrace to act as a visual break, try to balance traffic between both access points, and try to mitigate water going across Cantwell Terrace.

8:51 **MOTION** made by Preston Lowe, 2nd by Fred Bach, Jr. to approve the application. Motion carried.

Aye: Baril, Aubertine, Lowe, Hazelton, Rogers, Bach, Jr. (sitting in for Heckmann), and Crandall (sitting in for Jones)

Nay: None Abstain: none Absent: Heckmann

8:51 PM---Town---Bradley Properties, LLC, 43121 Murray Isle, Tax Map #12.07, Block #1, Lot #15, in the Marine Residential District, Three (3) Lot Subdivision.

It was stated that there is a generic seeker on file.

8:52 **MOTION** made by Duane Hazelton, 2nd by Larry Aubertine to approve the subdivision. Motion carried.

Aye: Baril, Aubertine, Lowe, Hazelton, Rogers, Bach, Jr. (sitting in for Heckmann), and Crandall (sitting in for Jones)

Nay: None Abstain: none Absent: Heckmann

8:53 PM ---Village---Robert and Judy Pinchin, 1100 State Street, Clayton, Tax Map #20.54-1-15.1, in the Marine Development District.

Robert and Judy Pinchin presented their site plan application to turn a building originally constructed as a garage into a 750 square foot summer cottage that they can rent out May through September. Board members discussed the already constructed deck and whether or not the Pinchins may need a variance to keep the deck as is. It was also discussed if the cottage would need to have a sprinkler system installed because the cottage would be categorized as a hotel.

Chairman Baril read a letter from the Jefferson County Planning Board stating that the Pinchin's application was of local concern and that there must be appropriate landscaping on all sides of the building.

9:11 PM Open to the Public

Elizabeth Docteur and Scott Docteur, neighbors of the Pinchins, raised several concerns regarding this site plan application. They explained that a portion of their property and the Pinchin's property is considered federal wetlands and both parties were told by the Department of Environmental Conservation (DEC) that no one could fill the land in. Mrs. Docteur said that the Pinchins had filled in their wetlands including the area with cattails and by doing this they raised the entire grade, changed the drainage, causing the area to dry up. The Pinchin's property is now approximately three (3) feet higher than the Docteurs. In addition, the Pinchin's have been parking their boats against a fence belonging to the Docteurs causing damage and encroaching on their property line. Mr. Docteur explained that he and Mrs. Docteur had gone to the DEC and after learning that the property would have to be dug up in order to find where the wetlands had begun. Pictures were presented that showed the encroachment of the boats and where the damage to the fence had been done. The Docteurs also stated that in the past the Pinchins had been ordered to create a barrier between the two properties that would protect the Docteurs from the Marina traffic, however the barrier was never created by the Pinchins. The Docteurs hired a fence company privately and had the fence constructed to divide the properties. In addition, they presented newspaper articles that said that the Pinchins were to create a barrier between the properties. The last concern of the Docteurs was that a new deck for the proposed cottage belonging to the Pinchins would look directly down onto the Docteurs cottage taking away privacy.

Judy Pinchin told the board that the Army Core and the DEC had visited their property and had no concerns. The board discussed that they would like stamped architectural plans that will indicate the structure will be habitable and more information from the DEC concerning the wetlands. The board also held a discussion concerning the buffer that had never been installed by the Pinchins and that the Pinchins should still follow through with planting the trees along the

property line and through the cattails, up to the waterline. The board viewed the layouts of the properties via Google Maps.

9:44 **MOTION** made by Larry Aubertine, 2nd by Preston Lowe to adjourn from the site plan application until February 5th. Motion carried.

The board stated no decisions can be made regarding this site plan application until information from the DEC is obtained.

9:46 **MOTION** made by Preston Lowe, 2nd by Duane Hazelton to adjourn the meeting. Motion carried.

*Respectfully submitted,
Amanda Shane, Recording Clerk*