

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD
March 5, 2015

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

Also Present: Zoning Clerk Kim Johnston and Recording Clerk Amanda Shane

Townspeople Present: Rob and Judy Pinchin and Mary Zovistoski

The board reviewed the minutes from the February 5, 2015 meeting. Three (3) corrections were made. At 7:05 PM **MOTION** was made by Doug Rogers, 2nd by Fred Bach, Jr., to accept the minutes as amended. Motion was carried.

7:06 PM —Town--- Timothy Doney, 37882 NYS Rte 12E, Clayton, Tax Map #30.00, Block #2, Lot #10.1, in the Agricultural Rural-Residential district. Two (2) lot subdivision.

Chairman Bud Baril explained there is a generic SEQR on file for Timothy Doney and stated that the property has not been mined for several years. If Mr. Doney would like to mine the property he may have to apply for permits. The board discussed that you can take limited amounts of debris per year without a permit but you must repair the area and make it an even grade with new seed.

At 7:08 PM **MOTION** was made by Preston Lowe, 2nd by Larry Aubertine, to approve the application as submitted. Motion was carried.

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

Nay: None Abstain: None Absent: Heckmann and Jones

7:10 PM ---Village---Robert and Judy Pinchin, 1100 State Street, Clayton, Tax Map #20.54-1-15.1, in the Marine Development District.

Chairman Baril read the meeting minutes from February to refresh the boards mind on what was last discussed regarding Robert and Judy Pinchin's application which first came to the board in January. In January, due to incomplete site plans, the board adjourned until a later date.

Chairman Baril explained that he had conversed with Elizabeth and Scott Docteur, neighbors to the Pinchins, and listed what the Docteurs felt would be best for them regarding the Pinchin's application. It was discussed that the Docteurs wish to not see what is being stored behind the

fence including boats and a boat hoist. They also would like a rail type barrier to be constructed on the Pinchins side of the fence that would prevent boats being backed into their fence. In addition they would like the fence extended down to the waterline.

It was discussed during the January meeting that the building that was constructed was not encroaching and the deck that was built was done so without permits. The deck does not need a variance and has a proper setback. The concern regarding the deck is that guests will gather there and be able to look down at the Docteur's cottage.

7:20 the board opened the floor to the Pinchins. Mrs. Pinchin presented engineered site plans and pictures of her property. She explained that she wishes not to build a fence down to the waterline due to concern over the federal wetlands that used to be there.

Chairman Baril discussed that for the Pinchins and anyone else that comes to the board with an application that there must be a completed site plan presented and it should indicate specifically what the individual would like to change. In addition, the Planning Board needs to take measures to ensure that the site plans are complete because the board cannot keep adjusting things after they have already been done. Chairman Baril used the example of constructing 20 boat slips which would need 20 parking spaces; the site plan should reflect this when the application is submitted.

Mrs. Pinchin discussed parking on the property and that each cottage has parking for 2-3 vehicles and then along the fence line there is room for approximately 20 vehicles. During the summer boats are in the water and trailers are stored on leased property. The new structure was approved by the board to be a garage and the upper level has been turned into a two cottage unit.

The board discussed if trees or a fence down to the waterline would be more effective. Trees would be more cosmetically pleasing however due to the wetlands being filled in with gravel there was concern that the trees would not thrive.

Fred Bach, Jr., read meeting minutes from 1994 when the Pinchins had originally been required to construct a buffer between the two properties. After the 1994 meeting minutes were reviewed Larry Aubertine had concern that the deck was built illegally without permits. The board discussed where the access to the cottages units was and that there is no access from inside the building, only from the porch. The board suggests a lattice or privacy fence be built on the end of the porch that looks down onto the Docteur's property.

Dave Crandall voiced concern over the drainage confusion and asked that it is clarified where the water runoff is going from the building. It was decided that the runoff runs towards the river and not the street.

The board concluded with the following conditions:

1. The Pinchins must obtain a building permit for the porch and ensure that it meets building code.
2. A wind break will be constructed on the upper west end of the permitted deck that is 6 feet high x 6 feet wide and be constructed with board and batten or in a chevron pattern.
3. The Docteur's existing fence must be repaired properly and extended from the existing fence to the front corner of the new building.
4. A buffer is to be constructed 3 feet from the east side of the fence line to prevent boats from being backed into the Docteur's fence. They are to use ballards that are 6 feet on center maximum starting from the South West corner and end 20 feet from the face of the garage of the new building.

At 8:11 **MOTION** was made by Preston Lowe, 2nd by Larry Aubertine to accept the application with the conditions as stated. Motion was carried.

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

Nay: None Abstain: None Absent: Heckmann and Jones

The board stated that no certificate of occupancy will be issued until all conditions are met by the Pinchins who have agreed to all conditions. A SEQR was done at a previous meeting.

At 8:15 **MOTION** made by Preston Lowe, 2nd by Duane Hazelton to adjourn the meeting. Motion was carried.

*Respectfully submitted,
Amanda Shane, Recording Clerk*