

**APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD
MAY 7, 2015**

The meeting opened at 7:00 p.m. with the following **members present:** Chairman Bud Baril, Larry Aubertine, Preston Lowe, Duane Hazelton, Paul E. Heckmann, Brian Jones, Alternate Dave Crandall, Doug Rogers, and Alternate Fred Bach, Jr., **absent:** Alternate John Kehoe.

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

Townspople Present: Ron Cooper, Jody and Doreen Garrett, Pam McDowell, Jeffrey Cohen, Pat Patch, Jake Tibbles, Vance Carpenter, Sarah Walsh, Charlene Greene, Ron Colin, Ron and Betsy Jacobs, Ken Deedy, Mary Zovistoski, Bill Grater, John Greenizen, and Joe Netto, Sr.

Chairman Bud Baril opened the meeting with the Pledge of Allegiance.

The board reviewed the minutes from the April 2, 2015 meeting. At 7:05 PM **MOTION** was made by Preston Lowe, 2nd by Paul E. Heckmann, to accept the minutes with four (4) corrections. Motion was carried.

7:05 PM ---Town--- Andrew McNally, Zenda Road, Clayton, Tax Map #23.13, Block #1, Lot #4, in the Marine-Residential District. Four (4) lot minor subdivision.

Bill Grater did the presenting. A map with the location and proposed subdivision was passed around for board members to review. Bill Grater explained that there is a common road that passes through the property and will be maintained due to other existing cottages that are not a part of the subdivision. In the future the road may be moved slightly so that a home could be built on one of the parcels. Mr. McNally has tried selling the entire parcel in the past but has not been successful.

7:10 PM Chairman Baril opened the public hearing. Ms. Greene spoke to the board explaining that she owns property next to the parcel being proposed for subdivision and questioned if anyone would be able to build between the road and water on parcel four (4). The board reviewed the location of her property on Google Maps. Ms. Greene was also concerned that she may lose property because when the MacFarlands sold their land, Ms. Green lost frontage on her property. She said originally her property dimensions were 70'x115' but now her property is 65'x130'. The board offered Ms. Green some direction by going to the Tax Mapping and challenging the tax. Ron Jacobs spoke representing a resident who could not attend the meeting. He raised concern over the access road and would like to see the maps.

Chairman Baril explained to the public what a SEQR is. At 7:24 PM Chairman Baril completed the SEQR with the board.

At 7:35 PM **MOTION** made by Larry Aubertine, 2nd by Duane Hazelton, to declare the minor subdivision a negative declaration. Motion Carried. At 7:38 PM **MOTION** made by Preston Lowe, 2nd by Paul E. Heckmann, to close the public hearing. Motion carried. It was stated by the board that any changes made to the road must seek approval from Thousand Islands Land Trust (TILT).

At 7:41 PM **MOTION** made by Doug Rogers, 2nd by Larry Aubertine to approve the minor subdivision. Motion Carried.

Aye: Baril, Aubertine, Hazelton, Jones, Rogers, and Lowe.

Nay: None Abstain: None Absent: None

7:42 PM---Town---Jeffrey Cohen, 37417 NYS Route 12, Clayton, Tax Map #31.06, Block #1, Lot #9.2, in the Business District. Site plan review application.

Jeffrey Cohen and his engineer Vance Carpenter did the presenting. A letter from the Highway Superintendent stated that there is no drainage issue on the property. Vance Carpenter explained that the contour lines of the property direct the water towards the 18” culvert across the road. The proposal is to build similar structures to the existing for cold storage. Lighting has been removed that would affect neighbors and the existing entrance will be used. Chairman Baril explained that the entrance is not well defined and suggested some planting around the entrance to highlight it. The board discussed planting trees and shrubs to soften the look of the property. The board would like a tree line added to the NW side and any storage removed from that area. They would also like to see the existing fence repaired/replaced at weak spots.

At 8:05 PM Chairman Baril opened the public hearing. John Greenizen raised concern over the speed limit of the road and having more traffic due to the business. He explained that families are having more children in the area and mothers walk the road pushing strollers and he fears there is a safety concern. The board suggested that he approach the town board about reducing the speed limit from 55 mph. He also had some concern over what will happen to the residential portion of Mr. Cohen’s property. Chairman Baril explained to Cohen that he must return to the Planning Board should he want to do anything different with the residential portion. Greenizen further explained that he was in touch with other neighbors who would like to see Cohen’s property aesthetically pleasing so that those who have property for sale will be successful.

Joe Netto Sr. owns the home across the street from Mr. Cohen’s property and he fears the impact on the Greenizen Road, considering it is already in rough shape. He was concerned that larger vehicles transporting boats would cause further damage. Chairman Baril explained that there won’t be large vehicles utilizing the road to transport the boats.

At 8:16 PM Chairman Baril completed the SEQR. At 8:20 PM **MOTION** made by Larry Aubertine, 2nd by Brian Jones to declare the application a negative declaration. Motion carried. At 8:20 PM **MOTION** made by Larry Aubertine, 2nd Duane Hazelton, to close the public hearing. Motion carried.

After the board further discussed buffering around the perimeter of the property, the board decided that Chairman Baril can approve the completed plans when they are submitted.

The following conditions were discussed:

1. Building peaks must be under 20'
2. Repair/replace weak spots of the existing fence
3. Maintain/mow grass areas at least once a month
4. Types of storage outdoors restricted to boats, RV's, campers, boat trailers, jetskis, and registered vehicles
5. No storage of building materials or construction equipment outside
6. No winterizing or servicing of boats
7. Low intensity Lighting to be used on all exterior fixtures
8. Must return to the Planning Board prior to conducting boat sales or winterizing boats
9. No commercial storage in the residential area
10. Plant 3-4 trees on either side of the entrance 20' apart as shown on site plan
11. Chairman Baril to be presented with complete and updated site plans with lights removed, plantings shown, and building elevations

At 8:40 PM **MOTION** made by Doug Rogers, 2nd by Brian Jones, to approve the application subject to the conditions as listed and Chairman Bud Baril will have the ability to sign off on the final plan. Motion carried.

Aye: Baril, Aubertine, Hazelton, Jones, Rogers, and Lowe.

Nay: None

Abstain: None

Absent: None

New Business:

Pat Patch presented a potential property and reviewed a site plan. The potential property is on Mercier Ave. located in the village. Patch is looking for a property in the marine development district where he has access to the river. He needs a place to load and unload a barge for his company. He explained that he doesn't plan to store anything on the property just needs an access site to the river. The board's only concern was screening and protecting the neighbors as well as the Clayton Marina because it shares the same waterway. If Patch decides to purchase the property he will have to return to the Planning Board as well as consult with agencies such as the DEC and Army Corps.

Jody and Doreen Garrett discussed a site plan for the Fairview Manor. Chairman Baril introduced the Garretts and gave a history on the Fairview Manor. The Garretts purchased the Fairview Manor under the assumption that the special use permit originally issued in 2000 was still valid; however they discovered 2-3 months ago that it was no longer valid and the property is considered residential. Because of all the confusion, Mr. Garrett came to the board to clarify his plan. Mr. Garrett explained that the manor building has been totally remodeled and a geothermal heating system has been installed. A residential garage has been built but will be converted into the distillery once approved. All the industrial manufacturing portion of the distillery is stored at the Lucky Star Ranch. There is a traffic flow pattern already established and there are plans to purchase adjacent property for green space. Everything that the Garretts have done so far has been in compliance with the residential zoning district. There was discussion on rezoning the property.

Mr. Garrett discussed papers from the Liquor Authority and how occupancy is based on square footage. He intends to host weddings and outdoor venues utilizing the outdoor patio/terrace. He would also like to hold special events that would end at 9:00 PM. He also plans to have a temperature controlled tent that would help with the noise level. He invited anyone to visit the site and is open to answering any questions. Mr. Garrett and his wife would like the opportunity to prove what they plan to do. The board further discussed zoning involving the Garrett's property.

Ron Cooper spoke, explaining that he had sold the property to the Garretts. He explained that he subdivided the property and tried selling it but all potential buyers backed out when they were told the Garretts would be hosting outdoor venues. He said that he was in support of their original plan but does not believe the outdoor venues will be good for neighbors.

Mr. Garrett explained that he does not want to cause issues with the neighbors and would like to give back to the community, hosting charitable events. The board discussed special use permits.

9:56 PM **MOTION** made by Preston Lowe, 2nd by Doug Rogers to adjourn the meeting. Motion carried.

Mike Aubertine, owner of the Clayton Distillery, spoke to the board about his concern of the location of Fairview Manor. He explained that distilleries can be dangerous and have catastrophic explosions/fires. He raised concern over the proximity Fairview Manor is to cottages. In addition, he questions the required setbacks for the property.

Respectfully Submitted,
Amanda Shane, Recording Clerk