

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD
October 1, 2015

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

Also Present: Zoning Officer Richard Ingerson and Recording Clerk Amanda Shane

Townpeople Present: George and Miriam Bowes, Walter Majak, Maureen Littlefield, Jack Burke, Toni Gibson, Dave Storandt, Dave Moran, John Heaslip, Catherine Heaslip, Mary Zovistoski, Phil DeLuke, Jeffrey Cohen, Bonnie Johnston

Chairman Baril opened the meeting at 7:00 PM. He stated Dave Crandall would be sitting in for Duane Hazelton and John Kehoe would be sitting in for Larry Aubertine. It was also discussed and approved by the board that Duane Hazelton is excused for an undetermined time for medical reasons.

The board reviewed the meeting minutes from the September 3rd meeting and three corrections were made. At 7:13 PM **MOTION** made by Paul E. Heckmann, 2nd by Preston Lowe to approve the meeting minutes as amended. Motion carried.

7:14 PM—Town—The Shore Birds, LLC, 40263 NYS Route 12, Clayton, Tax Map #20.07-2-34., in the Marine Residential District. Application for Special Use Permit.

There was a brief summery to refresh attendees on the application. The application is for an agricultural special use permit. Mr. Storandt has planted fruit trees and hopes to one day have a “you-pick” operation. There is also a single wide trailer that he would like to replace on the property. The definition of agricultural use was reviewed.

Chairman Baril discussed the main concerns that the Riverwood Estates residents have. They had concern over the access from Route 12, runoff from fertilizer that could contaminate the shared well, and how the retail portion would operate in the future. Jack Burke also discussed that there is concern about noise. He explained that he and Riverwood Estates want good neighbors and to be good neighbors.

At 7:23 PM Chairman Baril resumed the public hearing for The Shore Birds, LLC. Jack Burke expressed concern over the road as there is only one entrance that serves two roads and there is a blind spot. Chairman Baril explained that Mr. Storandt has created his own entrance to his property off Route 12 and suggested making the entrance wider or added a second driveway that joins with the exiting one to alleviate some traffic on Route 12 for future customers. The access road will not be used for Mr. Storandt future business and it was suggested he speak with the DOT about a drain that is near the

driveway created. John Heaslip raised some concern over the proposed “you-pick” operation and worried there would be extra traffic. He was reassured that Heaslip Lane would not be used so there will be no extra traffic. In addition, he questioned if beehives would be located on the property. Mr. Storandt confirmed that there will be beehives but at a safe distance from homeowners (at least 300-400 feet away). Chairman Baril also clarified that the board is only granting a special use permit, not a designation. Jack Burke questioned which parts of the map were being approved and if Mr. Storandt could add additional fields. Chairman Baril stated that Mr. Storandt can change the land but not the site plan.

Walter Majak questioned if Mr. Storandt would be providing hayrides. Mr. Storandt stated that a tractor would only be used to move people to the product. Mr. Majak also questioned the trailer Mr. Storandt would like to replace. Zoning Officer Richard Ingerson stated that if Ag & Markets approve, he can use the trailer for anything farm related. John Heaslip discussed the replacement of the trailer as well saying that the rules are conflicting. He stated that if he is improving the property he should be able to replace it. The board members and attendees discussed replacing the trailer and how zoning causes conflict for Mr. Storandt to replace.

Toni Heaslip Gibson was concerned that a “you-pick” operation would devalue surrounding property, excessive noise and people, and questioned what the hours of operation would be. She stated that she had met with Mr. Summers and worried that Mr. Storandt could hold functions such as Pumpkin Chunkin. Chairman Baril stated that the board was only approving Mr. Storandt to grow his products and construct his agricultural structures. Mr. Storandt will have to return to the Planning Board in the future once he would like to sell his products and start his “you-pick” production.

George Bowes stated that he owns property in front of Mr. Storandts and is in full support. He recommended that the board approve the use application.

At 7:55 PM Chairman Baril completed the SEQR. The board also discussed using safe farming practices to eliminate the contamination of water resources. At 8:01 PM **MOTION** made by Doug Rogers, 2nd by John Kehoe to declare a negative declaration. Motion carried. At 8:02 PM **MOTION** made by John Kehoe, 2nd by Paul E. Heckmann to close the public hearing. Motion carried.

The board reviewed the presented site plan. There are 3 areas where crops will be grown. Photos of structures the Storandts would like to replace were presented. The Storants have intentions to build agricultural structures that appease the scenic overlook. The presented buildings will be done in phases which Mr. Storandt has 18 months to begin. The board reviewed the approval process. The board addressed the public concern over pesticide use by creating a condition that Mr. Storandt must use the approved best farming practices and follow safe practices as presented by Ag & Markets. Paul E. Heckmann questioned where the sewage system is which Mr. Storandt showed the board on the map presented.

At 8:14 PM **MOTION** made by Doug Rogers, 2nd by Paul E. Heckmann to approve the application as presented with condition to use approved best farming practices through Ag & Markets. Motion Carried.

Aye: Baril, Lowe, Rogers, Heckmann, John Kehoe (sitting in for Aubertine), and Crandall (sitting in for Hazelton)

Nay: None Abstain: None Absent: Hazelton, Jones, and Aubertine

8:15—Village—Jeffrey Cohen, Bayside Marina & Mobile Home Park, in the Marine Development District. Pre-application.

Jeffrey Cohen did the presenting. He explained the map presented to the board and stated he would like to turn his storage building into 8 unit apartments. He would like to move the current office to the garage and keep one bay open for emergency work on boats. He plans to sprinker system the entire structure and build a deck. He presented the layout of each apartment. All of his boat storage business will move to his property on Route 12/Greenizen but will keep boat sales and parking for the marina at Bayside. Chairman Baril raised concern over the amount of parking Mr. Cohen will have available including 2 mandatory parking spots for each apartment unit. Parking was discussed and it was asked that Mr. Cohen bring a map drawn to scale showing all of the parking areas and the drawings must be stamped by an architect. Jeffrey Cohen discussed the easement for Kay's Cottages and Chairman Baril stated that he must keep the line of sight open. Mr. Cohen stated that the DEC has signed off on a portion of his property so that he can add an additional mobile home. He will include the additional mobile home on the stamped drawings he presents at the November 5th meeting.

8:45 PM—Town—Phil DeLuke, in the Marine Residential District. Pre-Application for Site Plan Review.

Phil DeLuke would like to construct new growing greenhouses to his property. The growing greenhouses will be 27'x96', identical to the existing 3. In addition, he would like to build a lean-to off his building. He stated there was previous approval for 8 greenhouses. He plans to build in phases which the board stated would be fine, that he would just need to request extensions if not complete within the 18 months. The board reviewed the map and discussed required setbacks. Mr. DeLuke was asked to present engineered drawings that are to scale at the next meeting.

At 8:54 PM **MOTION** made by Preston Lowe, 2nd by Paul E. Heckmann to adjourn the meeting.
Motion carried.

Respectfully Submitted,

Amanda Shane, Recording Clerk