

**APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD
February 4, 2016**

The meeting opened at 7:00 p.m. with the following **members present:** Larry Aubertine, Preston Lowe, Doug Rogers, Brian Jones, Alternate Fred Bach, JR., and Alternate Dave Crandall.

Absent: Alternate John Kehoe, Duane Hazelton (excused), Chairman Bud Baril, and Paul E. Heckmann

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

Townpeople Present: Donna Patchen, Mary Zovistoski, Paul Luck, Betty Tubolino, David Tubolino, Angela Seymour, Twyla Webb, Paul Webb, Michael Parkes, Michael Pena, Domanique Waterson, Susie Wood, Gunther Shalles, Art Mack, Fred Matthews, Laura Greenizen, Jeff Paro, Shawn Hutchen, Hester Chase, Don Metzger, Keith Lawrence, Cindy Grant, Melissa Storandt, Gary Elliot, John Ruttan, Scott Ruttan, Jenny Briot, Jim Moscato, Dan Murdie, Dean Wilkie, John Byrne, Jasper Wilkie, Randy and Bobbie David, Joan Varsics, Paul Docteur, S. Escandon, Helen Kimball, Joshua Kimball, John Greenizen, Jeffrey Cohen, Ron Thomson, Corinne Thomson, Les Henry, Jody Garrett, Theresa Getter, Gail Egrey, K. Haaz, Steve Getty, Ed Oliver, Michael Ringer, Shelby Smith, Mike Aubertine, Gayle and Art Cady, Mike Geiss, Don Lingenfelter, Linda Brown, Chuck Livingston, Kevin Rarrick, and David Storandt.

Larry Aubertine opened the meeting at 7:00 PM.

At 7:01 PM **MOTION** made by Doug Rogers, 2nd by Preston Lowe to approve the January 7th, 2016 meeting minutes as amended. Motion carried.

7:04 PM—Town—Pre-Application for a Site Plan Review, Iberdrola Renewables.

Jenny Briot, Dan Murdie, Jim Moscato, and Buck Hardy did the presenting. Iberdrola Renewables is requesting permits for meteorological test towers to do a study of the wind. There was a previous study conducted but a restudy is needed for accurate data. The presenters explained that the test towers are 60 meters tall with 2 sets of marker balls (8 marker balls total) and 6 guidewires. The towers are temporary with no utilities or driveway needed. The approximate weight is 3,500 lbs. There is a recorder at the base of the tower that logs the data which is then phoned to the database. It was stated that the tower is not climbable. Photos were presented of towers and it was explained that the towers are site specific and will be studied a minimum 3 years.

There are 3 locations already chosen for the test towers: LaRose property, Parker Henry Group LLC. property, and the Gary Parker property. Because the Parker farm is only 629' from the

town line, Richard Ingerson stated Brownville would have to be notified about the application. One of the locations is near the scenic overlay and will be visual to neighboring properties, however, all locations meet required setbacks and a review from the Zoning Board of Appeals will not be needed. The Board requested maps with locations of the towers that also reflect the relationship to the town boundary and overlay. Fred Bach, Jr. asked why Iberdrola Renewables selected the locations they did. The presenters explained that the meteorologist chose the locations and will try to bring someone to the next meeting that can answer Fred's question.

The presenters plan to submit their application for the March meeting. In addition, they will provide site diagrams, a decommissioning bond, and permission from land owners to place test towers on their properties. The presenters explained that wind technology has improved dramatically since their last application so the number of wind turbines that could be potentially placed at the test sites would vary.

The Board is focusing on what Iberdrola Renewables would like to do now and in the future; they are not being reviewed based on their past. The presenters plan to submit their application as soon as possible to allow Board Members adequate time to review the submitted information. It was also asked for some clarification on how accurate data can be collected with the towers being shorter in height compared to a wind turbine.

At 7:37 PM **MOTION** made by Doug Rogers, 2nd by Brian Jones to schedule a public hearing for Iberdrola Renewables at the March 3rd, 2016 Meeting. Motion carried.

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

Nay: Crandall (sitting in for Hazelton) Abstain: None Absent: Hazelton, Baril, Heckmann

7:40 PM—Town—Randy David, 36415 Pelo Road, Clayton, Tax Map #30.00, Block #2, Lot 33.1, in the Agricultural- Rural Residential District. Application for Site Plan Review.

Randy David did the presenting and explained the he would like to change his agriculture designated building into a possible Ag based business. Randy would like to open the building to sell goods such as honey, pumpkins, maple syrup, etc. Photos were presented to show parking for patrons.

At 7:44 PM **MOTION** made by Preston Lowe, 2nd by Dave Crandall to close the public hearing. Motion carried. At 7:45 PM Larry Aubertine completed the SEQR. At 7:50 PM **MOTION** made by Doug Rogers, 2nd by Dave Crandall to declare a Negative Declaration. Motion carried.

At 7:51 PM **MOTION** made by Fred Bach, Jr., 2nd by Preston Lowe to approve application as presented. Motion carried.

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

Nay: None Abstain: None Absent: Hazelton, Baril, Heckmann

7:52 PM—Village—Jeffrey Cohen, Bayside Marina, 1061 State Street, Clayton, Tax Map #20.62-1-9, in the Marine Development District. Application for Site Plan Review.

Larry Aubertine reopened the public hearing. New maps presented to the board shows contours and handicap accessible parking. Larry questioned if Jeffrey Cohen had obtained notice from the village that he will have sufficient water and electric services for the proposed units. Cohen stated that he did not check with the village but his engineer is confident the services are sufficient and if not they can easily tap in to the nearby supply.

Larry read a letter from Jeffrey Cohen's attorney, Candace Randall, which stated the maps had been amended, parking was moved to rear of the property, and that Cohen would like to continue to display boats in front of the property. In addition, Randall stated the requested topographical maps be waived because the property is not changing and that meets and bounds are on file with the zoning office.

The Board reviewed the provided maps; the most recent map was submitted on 1/28/2016. The board was concerned about the 10% grade in the rear parking area and stated a retaining wall would be needed to raise the slope of that location. The Board discussed that Cohen will need to present how he would raise the slope of that area while preventing any fill from encroaching on the neighbor's property and not increasing the run off. According to the map there are 37 parking spaces in the rear and 30 in the front, all of which are 10'x20'. Cohen stated there will be concrete curb stops for the front parking to prevent cars from hitting posts that support the decks above. The handicap parking is located in the line of site.

Don Lingenfelter addressed the board stating that there is a current runoff issue on his property. The runoff from Cohen's building runs across the rear of his property where the French Creek Wildlife Preserve is located. More runoff would impact that area where many of his customers like to walk. Lingenfelter referred to previous minutes that stated Cohen could not have storage in the front of the property. He also requested that a privacy fence be considered for the end of Cohen's deck that looks down on his property.

Joan Varsics stated she has a home located near Cohen's property and was concerned that the new location of Cohen's proposed unit would impact her property. After reviewing the map it was decided it would not affect her but it would affect her neighbor.

The Board requested that Cohen provide something from the village stating his waterline and electric can support 8 new units, how he plans to build up the rear parking area without fill going on to adjacent property (grating plans with elevations), drainage, move parking out of line of site, provide meets and bounds, and a valid map that is stamped with existing parking and proposed parking differentiated. Jones and Crandall stated that the drawings were not complete as requested at the last few meetings. They asked for a past and proposed topographical maps, meets and bounds, location of buildings, and the proposed grating.

At 8:51 PM **MOTION** made by Preston Lowe, 2nd by Fred Bach, Jr. to adjourn the public hearing to the March 3rd, 2016 meeting. Motion carried.

8:52 PM—Village—Clayton Dental Office, PLLC, 775 Graves Street, Clayton, Tax Map #20.56-1-1, in the Business District. Application for Site Plan Review.

Brian Jones recused himself from the site plan review as he is an employee of Aubertine and Currier who are the architects for the project. Larry Aubertine opened the public hearing. Drawings of the site plan were presented to the Board. Scott LaClair plans to add a new entryway on the south side of the property which will provide more direct handicap parking and a rear addition will be a conference room he plans to use for dental education.

At 8:59 PM Larry Aubertine completed a SEQR. At 9:04 PM **MOTION** made by Doug Rogers, 2nd by Preston Lowe to declare a negative declaration. Motion carried. At 9:05 PM **MOTION** made by Preston Lowe, 2nd by Fred Bach, Jr. to close the public hearing. Motion carried.

At 9:05 PM **MOTION** made by Dave Crandall, 2nd by Fred Bach, Jr. to approve the application as presented. Motion carried.

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

Nay: None Abstain: None Absent: Hazelton, Baril, Heckmann

Other Business:

Chuck Livingston discussed with the board submitting an application for a subdivision. The Board reviewed his request and stated the subdivision meets requirements. Meets and bounds were requested to be placed on file.

John Greenizen addressed the board with some concerns regarding Jeffrey Cohen's property located on Greenizen Road and Route 12. Greenizen is concerned with the cleanliness of the property and stated Cohen has not completed the requirements set by the Board. Drainage on

Cohen's property was a topic of concern. Cohen has dug a 2' trench which has not proved beneficial. Greenizen was concerned that small children riding their bikes can fall in to the trench. He presented photos of the property showing the trench has been dug in the county's right of way. Greenizen expressed concern that ramifications will come about regarding Cohen's property.

At 9:26 PM **MOTION** made by Preston Lowe, 2nd by Fred Bach, Jr. to adjourn the meeting. Motion carried.

*Respectfully Submitted,
Amanda Shane, Recording Clerk*