

**APPROVED**  
**JOINT TOWN / VILLAGE OF CLAYTON**  
**PLANNING BOARD**  
**November 3<sup>rd</sup>, 2016**

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

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

**Townspople Present:** Gunther Schaller, Jeff Baker, Dan Murdie, Scott McDonald, Betty Ann McComber, Bill Grater, Pam McDowell, Cindy Grant, Phil Nuffer, Mary Zovistoski, Joe Kehoe, and Joan Varsics.

Alternate Dave Crandall will sit in for Fred Bach, Jr.

At 7:03 PM **MOTION** made by Dave Crandall, 2<sup>nd</sup> by Duane Hazelton to approve the October 6th meeting minutes as presented. Motion carried.

**Communications:**

There will be an Article 10 Public Service workshop held at JCC on November 14<sup>th</sup> from 6:30-8:30 PM. There will be one last Comprehensive Plan meeting before submission. Revised town maps will be provided to all Planning Board members.

**Continuing Business:**

Chairman Rogers spoke with Clayton Attorney Joe Russell who advised that many towns/municipalities allow the ZEO to make decisions on simple minor subdivisions. If the ZEO has any questions regarding the application or the application is controversial it would be sent to the Planning Board. Chairman Rogers devised a letter and read the proposed resolution to the board. Board members all agreed to amend the resolution to include a statement that an application can be sent to the Board or an applicant can request to go before the board.

At 7:13 PM **MOTION** made by Preston Lowe, 2<sup>nd</sup> by Larry Aubertine that simple minor subdivisions and/or lot line adjustments become an administrative task of the Town/Village of Clayton Zoning Enforcement Officer. Motion carried. Roll call vote:

**Aye: Hazelton, Rogers, Jones, Aubertine, Lowe, and Heckmann**

**Nay: Crandall**

**Abstain: None**

**Absent: Bach**

ZEO Ingerson presented new zoning map to Board Members.

**7:17 PM—Town—Joseph Kehoe, Breezy Pines Road, Clayton, Tax Map #12.20, Block #1, Lot # 10.114, in the Marine-Residential District.4 Lot Subdivision.**

All Lots will meet requirements.

At 7:19 PM **MOTION** made by Dave Cradall, 2<sup>nd</sup> by Larry Aubertine to open the public hearing. Motion carried. At 7:20 PM **MOTION** made by Larry Aubertine, 2<sup>nd</sup> by Duane Hazelton to close the public hearing. Motion carried.

At 7:20 PM **MOTION** made by Paul E. Heckmann, 2<sup>nd</sup> by Preston Lowe to approve the application as presented. Motion carried.

**Aye: Hazelton, Rogers, Jones, Aubertine, Lowe, Crandall, and Heckmann**  
**Nay: None                      Abstain: None                      Absent: Bach**

**7:21 PM—Town—Atlantic Wind, Clayton, Wind Energy Facilities Permit.**

Legal Representative, Jeff Baker, was present to represent Atlantic Wind. A settlement has been reached in court and the public hearing has already been held regarding this application. The application is complete per Clayton legal counsel. Alternate Dave Crandall recused himself from voting and all discussion. All tower locations are in the wind overlay district and meet setbacks.

Gunther Schaller requested a Point of Order and stated that the public notice regarding the Atlantic Wind application had an improper address. He was concerned that more townspeople might have attended if they knew the actual location and asked that the Planning Board confer with legal counsel regarding this concern.

At 7:32 PM **MOTION** made by Larry Aubertine, 2<sup>nd</sup> by Brian Jones to approve the application and issue the requested permit. Motion carried.

**Aye: Hazelton, Rogers, Jones, Aubertine, Lowe, and Heckmann**  
**Nay: None                      Abstain: Crandall                      Absent: Bach**

**7:34 PM—Town—Betty Ann McComber, 29606 NYS Rt 12, Clayton, Tax Map #52.00, Block #1, Lot #65.2, in the Agricultural-Rural Residential district. Application to operate a small commercial enterprise.**

The applicant would like to use an existing foundation to construct a new building to use for quilting classes. Chairman Rogers read recommendations from the Jefferson County Planning Board. Ken McArdle presented on behalf of Betty Ann McComber. He reported there is ample parking and the ramp is handicap accessible. All structures are existing and all setbacks are met. The Board would like to see an accurate drawing that is to scale for record keeping purposes.

At 7:47 PM **MOTION** made by Larry Aubertine, 2<sup>nd</sup> by Duane Hazelton to open the public hearing. Motion carried.

Gunther Schaller questions of the new building would need a sprinkler system because it is being used to educational purposes. The Board decided it would not need a sprinkler system because there will not be enough occupancy.

At 7:48 PM Chairman Rogers completed SEQR. At 7:52 PM **MOTION** made by Larry Aubertine, 2<sup>nd</sup> by Paul E. Heckmann to declare a negative declaration. Motion carried. At 7:52 PM **MOTION** made by Larry Aubertine, 2<sup>nd</sup> by Preston Lowe to close the public hearing. Motion carried.

At 7:53 PM **MOTION** made by Preston Lowe, 2<sup>nd</sup> by Duane Hazelton to approve the application as presented pending submission of an accurate drawing. Motion carried.

**Aye: Hazelton, Rogers, Crandall, Aubertine, Lowe, and Heckmann**  
**Nay: None**                      **Abstain: Jones**                      **Absent: Bach**

**7:54 PM—Village—Green Future LLC, 105 State Street, Clayton, Tax Map #20.48-2-1, in the General-Residential District. Site Plan Review.**

Bill Grater presented. The applicant would like to relocate a platform tennis court to the Clayton Country Club. Chairman Rogers read the Jefferson County Planning Board recommendation. The paddle ball court is being moved from the Clayton Yacht Club to the Clayton Country Club. There will be some additional lighting and there is a proposed expanded parking lot. The planned parking lot will have an entrance and exit making parking much safer than it is now. The tennis court runs on propane and will encourage more winter activities in Clayton.

The board discussed permitted and allowable use in addition to appropriate zoning. Some grade changes will be made to accommodate the location of the tennis court. There will be some new blue spruce and Norway trees as well. The board agreed to change the hours of operation to end at 10:00 PM instead of 11:00 PM.

At 8:14 PM **MOTION** made by Duane Hazelton, 2<sup>nd</sup> by Larry Aubertine to open the public hearing. Motion carried.

Phil Nufer voiced his concerns regarding the safety of current parking. With the additional parking there will be approximately 40 parking spots.

At 8:20 PM Chairman Rogers completed SEQR. At 8:21 PM **MOTION** made by Preston Lowe, 2<sup>nd</sup> by Paul E. Heckmann to declare a negative declaration. Motion carried. At 8:22 PM **MOTION** made by Larry Aubertine, 2<sup>nd</sup> by Duane Hazelton to close the public hearing. Motion carried.

At 8:24 PM **MOTION** made by Dave Crandall, 2<sup>nd</sup> by Brian Jones to approve the application with inactivity after 10:00 PM and DOT approval of a 2<sup>nd</sup> curb cut. Motion carried.

**Aye: Hazelton, Rogers, Crandall, Aubertine, Jones, Lowe, and Heckmann**

**Nay: None**

**Abstain: None**

**Absent: Bach**

Joan Varsics made an inquiry about Bayside Marina. She states property owner Jeffrey Cohen has a collection of boats, signs, kayaks, and other miscellaneous items. Cohen's south property also still has standing water. Chairman Rogers explained that ZEO Ingerson has been in contact with Cohen and court action could be in the future.

At 8:28 PM **MOTION** made by Duane Hazelton, 2<sup>nd</sup> by Brian Jones to adjourn the meeting. Motion carried.