

DRAFT
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD
August 3rd, 2017

The meeting opened at 7:01 p.m. with the following **members present:** Chairman Doug Rogers, Duane Hazelton, Paul E. Heckmann, Dave Crandall, Mike Ingerson, and Preston Lowe **Absent:** Alternate Larry Aubertine and Fred Bach, Jr.

Also Present: Zoning Officer Richard Ingerson, Zoning Officer Kimberly Johnston, Town Counsel Joe Russell, and Recording Clerk Amanda Shane

Townsppeople Present: Jody Garrett, Mary Zovistoski, Donna McIntosh, Bruce Shaw, Greg Rossetti, Rob Campany, Ron Cooper, Carl Reinman, Bill Heyman, Katherine Semelsberger, Richard Hartz, Matthew Turcotte, Amy Turcotte, Mary Heyman, Wendy Reinman, William Reinman, Michael Aubertine, Les and Sylvia Torok, Art Mack, and George Gamble.

Communications:

Chairman Rogers reported to the board that town attorney Joe Russell reviewed the board's decision regarding the application from Melissa and Matthew Hardy (Bella's). Attorney Russell determined that the board's decision was adequate pending the approval from the other authorities having jurisdiction with the project.

At 7:03 PM **MOTION** made by Mike Ingerson, 2nd by Paul E. Heckmann to approve the July meeting minutes as amended. Motion carried.

There will be a special meeting held on August 15th at 7:00 PM for the Clayton Improvement Association (CIA). The applicant wishes to construct an addition to the exterior of the Samaritan Medical Center building for the storage of hazardous material.

7:12 PM—Town—Chris Matthews, South of NYS Rte. 12 E, Clayton, Pre-Application.

Chris Matthews was unable to attend the meeting however he would like to construct a 50'x80' addition. He plans to change the lot line to avoid needing a variance.

7:13 PM—Town—OYA- NYS Rte. 12. Pre-Application for the construction of a commercial solar project in the Agricultural Residential district.

Greg Rosetti presented to the board. OYA would like to create a utility scale solar project consisting of a 20 megawatt (approx. 60,000 panels) solar facility which will tie directly into National Grid and provide power to the Watertown area. The location of the project is on the town line of Clayton and Orleans and OYA has already attended the Orleans meeting.

The panels will not give off a glare because they are designed to absorb light. They will be installed on primarily pasture land leased from Bruce Shaw and will have little effect on wildlife and vegetation. Any vegetation that is disrupted will be replaced with plants such as clover. A local technician and landscaping company will be trained to maintain the facility. There will be a 6' chain link fence surrounding the property and the applicants will ensure landscaping that is aesthetically pleasing for the site line.

The board determined they would like to see additional information about clearing limits of the property, location of powerlines, and some further education for board members.

7:31 PM—Town—Ron Cooper, PO Box 323, Clayton, Tax Map #19.20-1-32.1, in the Marine-Residential District. Cluster Subdivision and Special Use Permit.

Chairman Rogers reviewed the requirements to determine if the application was complete and stated the Joint Town/Village Planning is lead agency for this project. Chairman Rogers also reviewed the referral from the Jefferson County Planning Board. The JCPB stated that a Storm Water Pollution Prevention Plan is required when an acre or more of land is disturbed. Michael Aubertine confirmed that it will be completed.

Ron Cooper presented the site plan to the board. The applicant is requesting a cluster subdivision of 4-2 family homes and in order to do so will require a special use permit. He presented alternatives of what he is currently allowed to do per zoning on the property but wants to move forward with a cluster subdivision to preserve green space and meet setbacks. Each proposed unit will have a two car garage and be separated by 10'. The applicant stated that for each tree removed from the property a new tree will be planted in its place. Mr. Cooper reviewed the law regarding cluster subdivisions, comprehensive plan compliance, a legal opinion letter, and the restrictions on lots 2-6. Renderings were also provided so that board members can see what the structures will look like. The applicant has also requested to become a sewer district and in the event they are denied they will install a septic system. The units will only be available for purchase to adults 55 years of age and older and there will be a home owners association.

At 8:02 PM **MOTION** made by Mike Ingerson, 2nd by Paul E. Heckmann to determine that the application is complete. Pending additional submittals requested. Motion carried.

Aye: Hazelton, Rogers, Ingerson, Lowe, and Heckmann

Nay: Crandall

Abstain: none

Absent: Bach

At 8:03 PM **MOTION** made by Paul E. Heckmann, 2nd by Preston Lowe to open the public hearing. Motion carried.

Jody Garrett addressed the board with his concern that he never received the Agricultural District form that is required through the JCPB. He also stated that the deed to the property does not allow anything commercial and because a homeowners association requires fees it is considered commercial. Mr. Garrett reviewed the definition of a homeowners association for the board and the Condominium Act. He further explained from his research that the cluster subdivision would be for the dwellings only, not the proposed detached garages. In addition, the dock slips would not be permitted on lot 6 if considered commercial. He stated that he feels the application is incomplete and the project is not allowed in the district.

Mary Heyman owns the neighboring property and had concern over the lighting and would like to see a light plan. Ron Cooper stated there will only be standard light on the dwellings and the parking lot will not have lighting. There will also be photocell lighting along the driveway. She was also concerned that she sees the project as condos and has concern over the site being commercial as well. She was also concerned about the project being compliant in the scenic overlook district and what parts of the property you can see from Route 12. She suggested a traffic study be completed. Michael Aubertine confirmed that the DOT stated no traffic study is needed.

Matt Turcotte purchased lot 5 and expressed his concern over the traffic flow for the proposed application. There will be increased traffic and with 3 story dwellings he has concern over lighting, noise, and lack of privacy for his property. He suggested the board to look further into the property becoming commercial and to consider the impact this project will have on the neighbors. He also has uneasiness regarding the proposed septic system being near his property and changing the grade of the land. Amy Turcotte, Matt's mom, stated that when Matt purchased the property several months ago he was never informed of the potential project.

At 8:23 PM **MOTION** made by Paul E. Heckmann, 2nd by Duane Hazelton to close the public hearing. Motion carried.

Several board members stated they did not feel comfortable moving forward with a decision after hearing the public concern and would like to conduct some further investigation into the property being a commercial enterprise. The board would like the applicant to return to the board with a drainage plan, a lighting plan, and the board members would like to visit the site. Dave Crandall also suggested a topo map and drainage plan for the location of detached garages. The applicant will return to the board at the August 15, 2017 meeting.

At 8:41 PM **MOTION** made by Duane Hazelton, 2nd by Preston Lowe to adjourn the meeting. Motion carried.

Respectfully Submitted,
Amanda Shane, Recording Clerk