

JOINT TOWN / VILLAGE OF CLAYTON PLANNING BOARD
November 1, 2018

The meeting opened at 7:00 p.m. with the pledge of allegiance and the following

Members present: Doug Rogers, Mike Ingerson, Frederick Bach, David Crandall, Patrick Dewey in for Preston Lowe, Duane Hazelton, Paul Heckmann and alternate Therese Christensen.

Also Present: Recording Clerk Heather Valadez

Townspeople Present: Mary Zovistoski, Rob Campany, Jon Pastorius, Ashley Pastorius, Linda Bouvier, Jeff Bovier, Braydon Jacobson, Dan Throop, Jeanie Brown, Daniel Murray, Greg Rossetti, Lauran Throop, Charlie Brown, Lee Shimel, Tom Oot, Bobby Cantwell, Meredith Fox, and Pam McDowell

Communications:

Preston Lowe was absent. The Route 12 corridor was discussed with concerns about the potential future of the area. What does the planning board expect potentially could be about to happen and any specifics, concepts or ideas put on the table would be considered. These could be changes to be submitted to the municipality. The Village Sign Law is nearing completion. Doug has spent hours researching other local sign laws and looking at the 2008 sign law that was in the village as it was more comprehensive than the current Sign Law. Once this is done, it will be a draft and it can be reviewed for feedback and submitted to the Village Municipal Board for approval. A proposed draft of Town of Clayton Solar Law was handed out to board members. It was extracted from NYSERDA's Law with certain items such as setbacks for certain districts, do you want large facilities in certain districts, do we want in residential districts were left blank for discussion within the board to come to a joint decision. There was discussion with the issue of solar situations, even large solar systems, could be decided on by the Planning Board per the special use permit. The planning board does reserve the right to put contingencies on that.

MOTION made by Patrick Dewey, 2nd by Frederick Bach to approve the October 4th meeting minutes with corrections. Motion carried.

Agenda for tonight:

Continuing Business –Mr. Tom Oot, representing Oot Brothers Developers, was present to continue discussion of subdivision plans for the Island View Village, located on State Street in the Village of Clayton. The plans presented changing the previously approved site plans to build fewer but larger units and creating an empty lot for private family use. Previously the vacant lots were approved for an additional 14 envelopes. They are proposing to change the 7 building envelopes furthest the west (numbered 13-16) and create one 20 ft wide building envelope and two 30 ft wide envelopes. 17-19 would be split into two 30 ft wide parcels. The remaining originally approved units (20-26) would be split off to convert for private family use. The new units will have same shingles and exterior coloring. There is currently already a surplus of dockage so the new units will not create any problems with current dockage availability. The road will still be a responsibility of the developer. The green spaces were discussed as what is

able to be used by the residents. David Crandall requested grading plan including elevations of the new buildings. It was also requested that planting and landscaping are shown on plan. The area of disturbance was also discussed and decided that it was smaller than .58 acres. Michael Ingerson questioned the current sewer laterals as they have not been used or tested in many years. It was discussed that the Homeowners Association is responsible for making sure that they are in working order and should be pressure tested to ensure they are still functioning properly. These 5 envelopes do not meet the required road frontage however they were approved and filed with the county.

MOTION made by David Crandall, 2nd by Duane Hazelton to open the public hearing. Motion carried.

Charlie Brown wanted to discuss the condition of the driveway and if it would be updated after construction of the new units. Tom Oot said that can be done. Dan Throop inquired about the price of the new units and it was stated they would be between \$299,000 and \$399,000. Linda Bouvier and husband questioned the height of the new units and if it will interfere with their view. The new units will be 1 story with attic truss to provide a small second floor area. They will not be as tall as the current units. Jon Pastorius questioned if vacation rentals or Airbnb's would be allowed. The HOA requires a minimum of 6 months for leasing.

Chairman Rogers completed the short Environmental Assessment Plan Part 2.
Petitioner completed Part 1.

MOTION made by Frederick Bach, 2nd by David Crandall for a negative declaration. Motion carried.

MOTION made by Mike Ingerson, 2nd by Patrick Dewey to close the public hearing. Motion carried.

MOTION made by Mike Ingerson, 2nd by David Crandall to put the decision into abeyance pending additional documentation including a grading and planting plan, from developer and pending the 239-m feedback from the county.. Motion carried.

Continuing Business- Rob Company and Greg Rossetti were present on behalf of Oya Solar regarding the solar energy facility located on Route 12. As advised by Attorney Joe Russell, it was discussed that since there is no solar law, they are to be treating this as public utility by using a special use permit. Lee Shimel from the Town of Orleans was present to discuss that they have accepted the application from Oya Solar for their portion of the project. Lee Shimel said that David Storandt agreed to Town of Orleans being the lead agent on this project. Proper buffering, glare analysis and view from the River were discussed as well. Photos taken by Rob Company depicted visual images that can be seen from certain points along the River and Route 12 areas. A view shed map was again requested. Paul Heckman asked about the scenic overlay district and whether this project meets the requirements of distance from the road and river. The requirement is 800 feet from each side of the road. In order to satisfy the comprehensive plan and the scenic overlay district it should be screened so that nothing can be seen within the required distance. They are required to have a fence and will most likely use green slats. They will also be

adding natural looking native evergreens in front of the fence facing the road to help shield the appearance of the solar farm. Frederick Bach mentioned concerns over property values and whether this project would negatively affect them. Greg Rossetti stated that there would be screening from the road and explained how he has never seen these solar projects affect property values surrounding them. Chairman Rogers asked the board if they feel they can make a determination regarding this project without seeking an outside engineering firm's advice. Reason being, this project in the Town of Clayton is 10 million dollars alone, which would potentially start the reserve funding for this at a high amount based of a percentage of the project cost. If outside legal assistance or engineering input is needed, then they may have to add to the amount of money needed for the Memorandum of Understanding which would start at \$5,000. The Board agreed that they would not be seeking outside engineering input.

MOTION made by Duane Hazelton, 2nd by Frederick Bach to adjourn the meeting. Motion carried.

Respectfully Submitted,
Heather Valadez