

TOWN OF CLARKSON - PLANNING BOARD

MINUTES May 20, 2008

PRESENT – Board Members

Don Osborne - Chairman
John Jackson
Scott Hanko **
Dave Virgilio
Tom Schrage

Support Board Members

Richard Olson – Town Attorney
John Paul Schepp – Town Engineer
Ursula Liotta – Deputy Town Clerk
Larry Gurslin – Code Enforcement **
** Excused

CALL TO ORDER

D. Osborne, Chairman, called the meeting to order at 7:00 p.m. and led all present in the Pledge of Allegiance. D. Osborne also reviewed the agenda.

PUBLIC HEARING

Matilda Peters – PBA #2008-2

Requesting a special permit @ 35 Valley View Dr., Tax Account #054.18-1-25

D. Osborne read aloud the Legal Notice, and asked M. Peters to explain the background to the situation. M. Peters stated that she applied for a bank loan and upon their appraisal, the bank told her that the property was not properly zoned because of the existing single apartment within her single-family residence. D. Osborne explained that the Planning Board cannot change the zoning but that since a single apartment in a single-family residence is permitted under RS-10, M. Peters was required to apply to the Planning Board for a Special Permit, and if granted, the bank's requirements should be satisfied.

D. Osborne opened the Public Hearing for discussion. Several of M. Peters' neighbors expressed their concern about the subject matter, and posed different questions and possible future scenarios if the Special Permit were granted. Many neighbors offered their support on M. Peters' behalf, stating that she has always been a good neighbor, but they were concerned about future owners; these concerns were addressed in the motion noted below. Lengthy discussions followed between the public, the Board members, and Support Board members.

J. Jackson made a motion to close the Public Hearing at 7:50 p.m.; second by D. Virgilio; unanimously carried.

The Board discussed granting the Special Permit to M. Peters, but making it contingent upon certain terms and conditions. T. Schrage suggested that the Special Permit be automatically renewable every two years. After further discussion, J. Jackson made a motion to approve M. Peters' application for a Special Permit subject to the following terms and conditions:

1. That it is specific ONLY to the single apartment in the premises, not the main residence/living area of the Applicant.
2. That the single apartment which is the subject of this Special Permit consists of one bedroom, one full bath, one kitchenette, one living room, and is accessed through the garage. The Planning Board permits no changes to the current configuration without review and approval.
3. That no "for rent" or "for lease" signs are permitted to be posted on the house or in the yard.
4. That this Special Permit is automatically renewable every two (2) years so long as the Applicant or her current spouse reside on premises, and have not violated the other terms and conditions of this Special Permit, and do not sell the property.
5. That this Special Permit shall be revoked if any of the conditions stated herein are violated.

The motion was seconded by T. Schrage; unanimously carried. A Notice of Decision will be prepared to reflect the above terms and conditions, and will be promptly provided to the Applicant.

TOWN OF CLARKSON - PLANNING BOARD

Minutes – May 20, 2008

A short break was taken at 8:00 p.m. The meeting reconvened at 8:10 p.m.

OPEN FORUM

Rev. David Prespo

New Beginnings Christian Fellowship

Re: Apple Tree - 7397 Ridge Road – Tax Acct. #070.01-1-23.2

D. Prespo stated that he is the Pastor of New Beginnings Christian Fellowship; that the church is interested in purchasing the above property and converting it into a permanent place of worship. The congregation of 200 (two hundred) has been renting space at Apollo Middle School and is looking to purchase a property to call home. D. Prespo asked the Board if the Town would welcome a new church.

R. Olson stated that the property is zoned retail commercial, and he read from the Code re: what is allowed in that district and a “church” is not; that in order to rezone the property to allow for a church, the applicants would have to petition the Town Board because it is a legislative issue.

R. Olson further explained the various procedures and obstacles that the applicant can expect if the purchase of the property is pursued. D. Prespo stated that the church is still are very interested. R. Olson explained that D. Prespo needs to discuss the matter with L. Gurslin, code enforcement, and an engineer re: a plan.

OLD BUSINESS None

NEW BUSINESS

Michael Farrell – PBA #2008-4 – Site Plan Approval

7.13 acres located on Ridge Road W., Tax #

Presented by: John Clarke, DDS Engineers LLP & Michael Farrell

J. Clarke introduced himself and stated that he was appearing on behalf of M. Farrell for site plan approval of the above property, and presented the site plan. J. P. Schepp, engineer, stated that he had reviewed the site plan and prepared a list of items that need to be addressed.

Discussion was had re: a neighbor’s complaint (across the street) re: a possible water issue in his basement. The neighbor was concerned that the fill that M. Farrell put on the property somehow compromised the water flow and caused water to be present in his basement; that representatives from the highway department have viewed M. Farrell’s property vs. the neighbor’s property, and found that the fill and/or ground water was not affecting the neighbor’s property. J.P. Schepp stated that the flow of ground water is unpredictable.

The connection to a sewer district was discussed; that a new sewer district may have to be created in the Applicant’s name.

The Board discussed that the long-form SEQR needs to be submitted to the Conservation Board, and they will meet on Wednesday, June 11, 2008. Further, the matter needs to be referred to Monroe County Department of Planning & Development for their report. A Public Hearing will be scheduled for June 17, 2008.

REVIEW OF MEETING MINUTES - Minutes from May 6, 2008

D. Osborne made a motion to approve the minutes; seconded by J. Jackson; unanimously carried.

ADJOURNMENT

T. Schrage made a motion to adjourn at 8:30 p.m.; seconded by J. Jackson; unanimously carried.

Respectfully Submitted,

Ursula M. Liotta, Deputy Town Clerk