

**TOWN OF CLARKSON - PLANNING BOARD**

**MINUTES**  
**June 3, 2008**

**PRESENT – Board Members**

Don Osborne - Chairman  
John Jackson  
Scott Hanko (arrived @ 7:15)  
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 (arrived @ 8:15)  
\*\* 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**           None

**OPEN FORUM**

- 1. Paul Neefe, Evergreen Landscape**  
**7554 Ridge Road, Tax Account #055.03-1-6.11**  
**Re: Seasonal produce cart at NW corner of Rt. 104 & 260**

P. Neefe introduced himself as the owner of Evergreen Landscape, mailing address 3699 Sweden Walker Road, Brockport, NY 14420. He presented the Board with photos of the location where he would like to have a produce cart for the growing season. The Board asked the following questions:

- Will there be a sign? No
- Hours of operation? Sun up to sun down
- Workers? The Applicant's employees will oversee the cart during normal business hours.
- Parking? The gate to the business lot will be open during regular business hours. An engineer and the NYSDOT must address allowable parking outside of the business lot.
- Weekends? Yes, but the gate to the business will not be open during the weekends, so parking will be limited to the edge of the road, or the area directly in front of the gate to the lot.

R. Olson stated that the property is zoned Highway Commercial so the applicant is not required to sell only home grown produce at the site. R. Olson read the Code that was applicable to this situation; that it has the same general characteristics as a nursery or garden store.

D. Osborne polled the board: J. Jackson stated that he does not have a problem with the concept, except for the parking issue; D. Virgilio stated that he is in favor of the concept; Tom Schrage does not have a problem w/it. P. Neefe stated that he would contact the NYSDOT for answers re: the parking before proceeding further. R. Olson suggested that the Applicant try to arrange a way for the gate to remain open at all times so that the parking issue could be eliminated, while still protecting his business after hours and on weekends.

- 2. Howard & Ruth Priestly**  
**522 Lawton Road, Hilton, NY 14468, Tax Account #040.02-1-5.1**  
**Re: Subdivide 29.10 acres into two parcels for sale**

H. Priestly introduced himself, and stated that he and his wife wish to sell their 29.10 parcel; that they have purchasers for a nineteen (19) acre parcel and a ten (10) acre parcel. R. Olson informed the Applicants that they must provide the following for the Board's review:

- A new survey showing the division of the property. H. Priestly stated that there is a barn w/cows on the property. R. Olson advised him that the new survey must show that the barn is at least one hundred (100) feet from the property line; that the Board may waive a public hearing after it sees the survey map.
- Information on the septic system installed ten (10) years ago. The property is on a well, not public water. H. Priestly stated that he does not intend to have the vacant lot approved prior to selling it; that the buyer would have to come before the Planning Board for site plan approval.

**TOWN OF CLARKSON - PLANNING BOARD**

**June 3, 2008**

**OLD BUSINESS**      None

**NEW BUSINESS**

- 1.      David & Cathy Magewan  
         Concept review for a special permit for an indoor shooting range  
         3400 County Line Road, Tax Account #038.02-1-3.1**

C. Magewan introduced herself and her husband, and explained their desire to purchase the above property. They intend to live on premises and operate a business to include an indoor shooting range and outdoor target practice. The Applicants' business plan was included as part of the Planning Board Application. The property is zoned conservation recreation. The Board told the Applicants that another party applied for similar use in November 2006 and the Board did not approve the application.

The Applicants stated that they had reviewed their ideas w/ L. Gursslin, code enforcement. R. Olson read Section 140.20 from the Code re: allowable use and it does not relate w/ Applicants' plan. A copy of Section 140.20 was given to the Applicants, as well as the minutes from the November 21, 2006 Planning Board meeting (previous application). After discussion, the Applicants were advised that they may apply to the Town Board to change the law regarding the property's zoned use, and they may apply to the Zoning Board of Appeals for a use variance. R. Olson suggested that the Applicants' attorney contact him directly.

- 2.      Valerie Ciciotti, Proposed Tenant  
         Deborah Lee/Apple Tree Inn of Monroe County, Owner  
         Concept review for a special permit for a gift shop  
         7407 Ridge Road West, Tax Account #070.01-1-23.1**

V. Ciciotti introduced herself as the proposed tenant for a gift shop she hopes to open in the garage behind the Apple Tree Inn. Deborah Lee, owner of the Apple Tree Inn was also present. After reviewing the matter with L. Gursslin, it was determined that a special permit was required.

V. Ciciotti presented current photos of the site, and drawings of the proposed gift shop. Further, she explained her business plan, etc., and stated that she will apply for the gift shop's name through a DBA application with Monroe County. Other details were as follows:

- The hours of operation will coincide with the restaurant's hours: Monday, closed; Tues.-Sat. 11-2; Sun. 11:30-2:30; Thurs.-Sat. 5-8 (optional).
- The customers will use the restaurant's restrooms.
- The garage requires modifications, i.e. a new single handicapped door entrance, and a ramp for handicapped accessibility. The sliding garage door on the N side of the building may be an emergency access route. T. Schrage questioned the new single door entrance and how it meets the fire safety standards. L. Gursslin stated that as a minimum requirement, the structure needs at least a thirty-six (36) inch window for a fire escape; that he will discuss the doors with the Applicant.
- Per R. Olson, the Board must be provided with a map that shows ample parking for both the restaurant and the proposed gift shop. D. Lee stated that there are currently twenty-six (26) parking spaces, two (2) of which are handicapped; that there is additional space in the back of the property for more parking. L. Gursslin needs to review the Code re: parking spaces vs. seats in the restaurant, and additional parking for the gift shop.

D. Osborne polled the Board: T. Schrage thought it was a fine concept; J. Jackson and S. Hanko agreed; D. Virgilio agreed as well, and mentioned that there is some competition in the Village of Brockport w/ two or three similar gift shops.

**June 3, 2008**

**TOWN OF CLARKSON - PLANNING BOARD**

The Board explained to the Applicant that a short-form SEQR will be prepared and reviewed by the Conservation Board on June 11; that a Legal Notice will be prepared for the public hearing on June 17; that a referral will be made to the MCDP&D. Further, the Applicant will need to make application to the Zoning Board of Appeals for a sign permit.

**REVIEW OF MEETING MINUTES - Minutes from May 20, 2008**

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

**OTHER**

Informal discussion was held among the Board members and L. Gursslin re: several issues:

- T. Schrage inquired about the residence at 797 Ridge Road where a “clean fill wanted” sign is in front of the property. L. Gursslin stated that he visited the property and was told that the fill is wanted for the inside floor of a garage.
- J. Jackson inquired about a pile of dirt left behind after installing a pool last year at a residence on Chadlee Drive. L. Gursslin will research re: any open pool permits from 2007.
- L. Gursslin stated that in the last month, he has received nine (9) calls from concerned residents re: neighboring properties w/high grass (residents have vacated the premises, possibly due to foreclosures). Currently, the Town of Clarkson does not have a policy in place to deal w/ this type of issue. L. Gursslin will discuss his suggestions with the Town Board.

• **Ward Bowen**

L. Gursslin stated that he has met with W. Bowen and the DEC, and is now familiar with the terms “flood plain” and “waterway”; that he has reviewed the new FEMA plan; that W. Bowen is very anxious to begin working on the property, but L. Gursslin has not yet made a decision yet. W. Bowen has posted a “no trespassing” sign, but not a “no fill” sign in front of the property.

L. Gursslin further stated that the DEC told him that logs are allowed to be buried in the flood plain, and he asked for that in writing; that W. Bowen wants to bury logs at the furthest point on the flood plain. R. Olson stated that the Code says that logs cannot be buried.

**ADJOURNMENT**

J. Jackson made a motion to adjourn at 8:45 p.m.; seconded by T. Schrage; unanimously carried.

Respectfully Submitted,

Ursula M. Liotta, Deputy Town Clerk

**APPROVED 6/17/08**