

TOWN OF CLARKSON
PLANNING BOARD - MINUTES

December 2, 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 **
** Excused

CALL TO ORDER

D. Osborne, called the meeting to order at 7:00 p.m. He led all present in the Pledge of Allegiance and a moment of reflection for the members in the military, and for the victims in India. Further, D. Osborne reviewed the agenda.

PUBLIC HEARING

1. **Brunson, Scott – PBA #2008-11;** James Glogowski, Surveyor
Re: Application for Site Plan Approval
100 Clarkridge Dr., Tax Acct. #055.040-01-017.113

D. Osborne read the legal notice aloud, and requested the Applicant to give a brief overview of his application. J. Glogowski, on behalf of Applicant, stated the following:

- that Applicant intends to construct a fifty by one hundred foot (50' x 100') building on the site, with parking around the building;
- that the property did not perk well, and therefore the site will require a full septic system;
- that at this time, the Applicant is also asking the Board for permission to construct a thirty by thirty foot (30' x 30') building in the future;
- that at this time, the Applicant is also asking the Board for permission to build a fence around the building for better security.

R. Olson requested that the six foot (6') high chain link fence with gate be added to the site plan map.

JP Schepp requested that J. Glogowski provide the pre and post calculations regarding storm water control; that they will need to dig a small pond on the premises; that he sees no issues regarding disturbance of the wetlands.

D. Osborne asked for comments from the public, and none were offered. S. Hanko made a motion to close the Public Hearing; seconded by D. Virgilio; unanimously carried.

Discussion:

J. Jackson: inquired regarding a dumpster on site.

S. Brunson: stated that there will not be a dumpster; that all waste will be stored inside.

T. Schrage: inquired if the Applicant had any future plans for the rest of his property.

S. Brunson: stated no, but that he hopes to clean up some of the brush and plant grass. R. Olson suggested to the Applicant that he stay far away from the wetlands.

J. Jackson: inquired regarding parking.

JP Schepp: stated that there are no traffic requirements because of Applicant's type of business.

Joe Scarfone, owner of Atlas Process Systems, LLC @ 55 Clarkridge Drive, reviewed the map with the Applicant in order to see how the proposed chain link fence will affect his adjacent property; that it will be approximately one hundred feet (100') from J. Scarfone's property line.

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D. Osborne called for a motion. J. Jackson made a motion that this Board grant the Applicant's request for site plan approval, based on the following conditions:

1. that the six foot (6') chain link fence with gate be added to the map; and
2. that the map meets all of the Town Engineer's specifications.

S. Hanko second the motion; unanimously carried. A Notice of Decision will be prepared.

2. **Bruno, Sean & Mary – PBA #2008-12;** William Holding, Builder
Re: Application for Special Permit
Lot 10, Mission Hill, Tax Acct. #69.01-01-22

D. Osborne read the legal notice aloud, and requested the Applicant to give a brief overview of his application. W. Holding introduced himself as the builder for Mr. And Mrs. Bruno, and explained the their request for a Special Permit for a second kitchen in a separate living area in the new home. S. Bruno stated that the purpose for the second kitchen/living area is to accommodate his mother moving in with his family. Further, that S. Bruno has never rented and never will rent; that he is just looking for a second kitchen in the additional living space for his mother, so long as she lives there; that if his mother ceases to live at the property, he will take the kitchen out and reconfigure the area to be additional living space for his growing family.

D. Osborne stated to the public that the Applicant's request is an allowed use in RS-10 (residential zoning) with a Special Permit granted by this Board.

D. Osborne summarized the Notice of Decision granted to another resident earlier this year, since the situation was similar. S. Hanko stated that with regard to the current application, any Special Permit would die if the Applicant moves.

D. Osborne asked for comments from the public:

Brad Mitchell, 7 Mission Hill, inquired if there are separate electric meters; S. Bruno said no. B. Mitchell inquired if there is a separate entrance; S. Bruno said yes, there is a side entrance, and he showed the plans for the home. B. Mitchell further stated that he hopes the Notice of Decision will include the condition that the kitchen will be taken out if the Applicant's mother no longer lives at the residence.

Molly Mitchell, 7 Mission Hill, asked for assurance that if the mother ceases to live at the residence, that no other family member be allowed to rent the same space.

R. Olson read the Town Code that specifies what is allowed in RS-10 zoning with a Special Permit from the Planning Board; that this portion of the Code is in the process of being rewritten; that W. Holding and S. Bruno are doing the right thing by coming before this Board at this time with the request.

Al Cretney, 61 Mission Hill, asked that S. Bruno not be allowed to put "for rent" or "for lease" signs in the front yard. S. Bruno stated that the application before this Board is specific to his mother only.

Molly Mitchell stated that she has known of homeowners who have rented an apartment within their residence, only to move from the residence, and then the apartment rental becomes a problem.

Terry Petras, 37 Mission Hill, stated that he was very concerned about the second residence in the Bruno home having a lockable door; that if it does, it would be considered a duplex, per Larry Gursslin.

R. Olson stated that in order for the subject property to become a duplex, the next owner would have to come before the Planning Board and make that request. If the subject property were to be sold as something other than a single family, the next owner would have to obtain a new Certificate of Occupancy.

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Deeann Dobbertin, 31 Mission Hill, came up to the dias, and reviewed the Applicant's building plan.

Michele Levick, 13 Mission Hill, asked what would happen to the other homeowners' property taxes if the Board granted Applicant's request? W. Holding stated that the Applicant's home is probably the most expensive home on the street; further, that he does not see any decrease in property values to the existing homes. S. Bruno showed the audience the street view of the home from the building plans.

Al Cretney, stated that he did his own research through Google regarding multiple residences, which indicated that the subject property would reduce the property value of the other homes on Mission Hill. Further, A. Cretney suggested that the Board get an independent RE appraiser to review the situation. S. Bruno stated that he has been researching the many variables of homes in this area too, and did not find that property values would be reduced.

Sue Bauerle, 2666 Redman Rd., stated that although she has no personal interest in the subject property, she has worked in a real estate office for five (5) years; that any research she has done has shown that a residence with an "in-law" apartment will increase the value of the home by at least \$10,000.

S. Hanko refuted A. Cretney's research on multiple residences, since "multi-family" means two (2) or more, which is not what the Applicants are building.

Al Cretney asked if the Mission Hill homeowners would receive a copy of the Notice of Decision when rendered; no, they may review the same as part of the approved minutes on our website.

D. Osborne called for a motion to close the Public Hearing. D. Virgilio made a motion to that effect; seconded by T. Schrage; unanimously carried.

D. Virgilio stated that the Applicant's request is for a single-family dwelling; that A. Cretney is mistaken by stating that it's a multi-family dwelling.

S. Hanko stated that if the Applicants violate any of the conditions of the Notice of Decision, it would become void.

T. Petras asked that the Special Permit be made specific to the mother, and include her name.

D. Osborne stated that the Board would reserve decision this evening; the Board members were in agreement. A short recess was taken at 7:50 p.m. The meeting resumed at 8:00 p.m.

OPEN FORUM

1. Terry Keister, Applicant

Re: New business rental in existing building @ 2176 Lake Rd., Tax Acct. #029.03-1-31
Property owner: MHD Properties, Inc. (Dan Hale) – insurance agency

T. Keister, introduced herself, presented a floor plan to the Board, and stated the following:

- that she would like to move her dog grooming business out of her home in Hamlin into the rental space at 2176 Lake Road;
- that the existing tenant, Nesbitt's Gift & Card Shop, is moving out as of December 31, 2008;
- that she hopes to gain more exposure at the new address and grow her business;
- that the floor plan shows the different areas of her business, including retail, grooming, reception, office, etc.;
- that she has reviewed her plan with the owner of the building, Dan Hale, and he is in agreement;
- that she initially contacted L. Gursslin, and was told that the property was zoned Highway Commercial, and that she did not have to do anything further, but just move in; that he gave her a sign permit application.

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R. Olson stated the following:

- that the property is not zoned Highway Commercial, but rather RS-10 (residential);
- that retail space (the existing card shop) would not be allowed in RS-10 zoning, and he does not know how it was approved, but that was approximately thirty (30) years ago;
- that any usage for RS-20 would be allowable in RS-10 with a Special Permit from this Board, i.e. an animal kennel or animal hospital, which is close to the intended use by T. Keister;
- that another approach could be for T. Keister and/or the owner to request a zoning change from RS-10 to Highway Commercial, and once completed, to come back before this Board;
- that the cost for rezoning the property would be substantial;
- that it is up to the Board to decide which way the Applicant should proceed.

Questions:

R. Olson: is the property was on septic or sewers?

T. Keister: sewers.

JP Schepp: does the Applicant have any employees?

T. Keister: no, not at this time. Further, JP Schepp questioned the parking situation and the Applicant responded that customers usually drop off their dogs for grooming and come back to pick them up, so there are usually no more than two vehicles parked at one time.

R. Olson stated that the Applicant would have to obtain appropriate permits for any interior construction from the Building Department. The Applicant stated that she has an opening target date of March 1, 2009.

D. Osborne polled the Board members on their recommendation, and they were in agreement that the Applicant's request for a Special Permit was similar to that of an animal kennel or animal hospital; that the Board waived SEQR; that a Public Hearing will be set for December 16, 2008.

NEW BUSINESS

1. **Kristopher Oaks – PBA #2008-13;** Schultz Engineering
Re: Application for Site Plan Approval
40 Clarkridge Drive, Tax Acct. #055.04-1-17.111

Dave Matt, from Schultz Engineering, introduced himself, showed the proposed site plan on behalf of K. Oaks, and stated the following:

- that the Applicant proposes to construct fourteen (14) self-storage units on the site;
- that the units will be one hundred twenty five feet by thirty feet (125' x 30');
- that there will be normal household lighting in-between the buildings;
- that a six foot (6') chain link fence will be put around the perimeter, with gates at the entrance;
- that the driveway will remain gravel for now.

Questions:

D. Osborne: asked what type of construction?

K. Oaks: either brick or steel; that he has not yet decided.

R. Olson: asked regarding proposed hours of business?

K. Oaks: six am to nine pm (6 am-9 pm); that he would not be working on site during the day; that it would be by appointment only; that perhaps he would have a security code access at the gate.

R. Olson: asked regarding security cameras?

K. Oaks: he will consider the option of having security cameras.

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R. Olson: asked if he will be completing the whole project at one time?

K. Oaks: no, that he intends to construct four (4) at a time, and when they're filled, he would construct four (4) more; that he would put the fence around the first four (4) completed units, and then extend the fence as the units are completed.

JP Schepp: asked if he was considering outdoor storage?

K. Oaks: yes, i.e. boats, RVs, etc. The Board expressed concern regarding the feasibility of outdoor storage per Section 140.36 of the Code, and they would have to do further research.

JP Schepp expressed his concern about the wetland area, and a proper snow storage area. Discussion was had re: the proper amount of turning radii needed in order for moving trucks to maneuver through and around the units. It was suggested that short-term units be placed on the outside, and long-term units be placed on the inside.

R. Olson stated that the Code requires that the lot be paved; the highway department requires that the right of way be paved.

S. Hanko stated that the Board needs to take a look at the completed project as a big picture; that perhaps fourteen (14) units needs to be downsized in order to meet all of the requirements

D. Virgilio: are any of the units intended to be climate controlled?

K. Oaks: no

JP Schepp brought other site plan issues to D. Matt's attention for correction; and it was stated that the two engineers would work together to resolve any issues. U. Liotta was asked to look for the Turner maps that reflect the federal wetlands.

The Applicant was advised that the matter was referred to the Monroe County Department of Planning & Development on November 19, 2008, and will come before the Conservation Board on Wednesday, December 10, 2008.

This matter is to be continued before this Board on December 16, 2008.

OLD BUSINESS

- 1. Joe Scarfone, Atlas Process Systems, 55 Clarkridge Dr., Tax Acct. #55.04-01-17.116**
Re: Special Permit for Change in Use (continuation)

R. Olson stated that L. Gurslin has reviewed the file from the previous owner, RCS Manufacturing, and found everything to be developed as outlined on the maps; that no Planning Board fee is required

After discussion, J. Jackson made a motion to waive further site plan review because there is no significant change in use per the current building inspector findings; seconded by S. Hanko; unanimously carried.

- 2. Arnold & Susan Bauerle, 3666 Redman Rd.**
Re: Resubdivision - combining adjacent properties into one tax account number
Tax Acct. #053.01-1-20.1 (1.15 acres, RS-20) and #053.01-1-22 (3.5 acres, Hwy. Com.)

S. Bauerle presented the Board with a map prepared by Jim Glogowski, surveyor, showing that the two properties have been combined. Discussion was had among the Board; it was stated that the engineer's concerns have been met. S. Hanko made a motion to waive further site plan review, and grant Applicants' request for a resubdivision; seconded by T. Schrage; unanimously carried.

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OTHER:

Steve Covert introduced himself as the owner of a Clarkridge Drive parcel; that he would like to pursue a car sales business at that address in the future; that he has a vision for the future; that initially, he wants to build a barn. He was in attendance this evening to experience how the Board operates, and to meet the other two Clarkridge Drive property owners on the agenda.

R. Olson explained the issues with the land; that when he does submit a site plan, the Board would be concerned with the layout of the building on the property, the height of the building, its use, and type of business for the industrial zone.

R. Olson stated that the Board and Town are excited about the amount of activity recently generated at the Clarkridge Drive properties; that S. Covert needs to be aware that site plan approval has a time frame, usually one year; that he should not apply for approval until he's ready to go ahead with the plan.

JP Schepp suggested that the previous owner's (Turner) files be located, particularly the maps reflecting the federal wetlands. U. Liotta will search for the file and map.

REVIEW OF MEETING MINUTES - Minutes from November 18, 2008

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

NEXT MEETING:

December 16, 2008 at 7:00 p.m.

ADJOURNMENT

D. Osborne made a motion to adjourn at 9:15 p.m.; second by J. Jackson; unanimously carried.

Approved 12/16/08

Respectfully submitted,

Ursula M. Liotta, Deputy Town Clerk