

TOWN OF CLARKSON
PLANNING BOARD - MINUTES

April 7, 2009

PRESENT:

**excused

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
Chad Fabry, Building Inspector
Colleen Mattison, Conservation Board
Ursula Liotta, Building Department Coordinator

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 victims of the earthquake in Italy. Further, he reviewed the agenda and asked that cell telephones be silenced.

OPEN FORUM

1. Charles & Bernice Beadle – 2555 Lake Road

Presented by: AJ Barea, PLS

AJ Barea appeared on behalf of Mr. And Mrs. Beadle and presented an color-coded instrument survey to the Board, and explained the proposed transactions.

The Beadles currently own the following:

- | | |
|---|--|
| A. Tax Account No. 029.03-1-45.2 | 38.8 acres w/house , barn & cabin |
| B. Tax Account No. 029.03-1-30.112 | 16.05 acres vacant land |

AJ Barea stated that his clients wish to proceed as follows:

1. To sell a **5.0** acre parcel from **A.** (previously known as Sunny Meadows Sec. 1) to their daughter, and retain the balance of **33.8** acres; and
2. That the remaining **33.8** acres be combined with the **16.05** acres of **B.**, i.e. a new parcel totaling **49.85** acres.

Discussion followed:

- That the **33.8** acres will not be landlocked once it is combined with the **16.05** acres.
- That the access to the property is 100' wide on Lake Road.
- That the combined parcel is not approved for building.
- R. Olson inquired regarding the setbacks on the 5 acre parcel, and AJ Barea advised that it is not a concern.
- JP Schepp indicated that he has no engineering concerns.
- AJ Barea asked for the Board's opinion as to whether the above would be considered a subdivision or a resubdivision.
- R. Olson stated the Beadle's intent only requires the redrawing of lot lines, and that it could be done administratively with the Board's approval; that if the Board agrees, the application requirements can be waived.

D. Osborne read §116.25 of the Town Code that states as follows:

“The Planning Board may waive, when reasonable, any requirements or improvements for the approval, approval with modifications or disapproval of subdivisions submitted for its approval. Any such waiver, which shall be subject to appropriate conditions, may be exercised in the event any such requirements or improvements are found not to be requisite in the interest of the public health, safety, and general welfare or inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.”

- AJ Barea and R. Olson reviewed the original Mylar of the Sunny Meadows subdivision.

D. Osborne made a motion that the Board waive the application requirements in this instance, pursuant to §116.25 of the Clarkson Town Code, and that the property lines be redrawn to reflect the property owners' intent, as follows:

1. To sell a **5.0** acre parcel from the **38.8** acre parcel (Tax Account No. 029.03-1-45.2, previously known as Sunny Meadows Sec. 1), and retain the balance of **33.8** acres; and
2. That the remaining **33.8** acres be combined with the **16.05** adjacent acres of vacant land (Tax Account No. 029.03-1-30.112) totaling **49.85** acres, resulting in a new tax account number being assigned to the **49.85** parcel.

Second by S. Hanko; unanimously carried.

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PUBLIC HEARING

- 1. New Beginnings Christian Fellowship / Former Apple Tree Property – PBA #2009-3**
Site Plan Approval – Redevelopment/Change of Use
7397 Ridge Road, Tax Acct. #070.01-1-23.2

D. Osborne read the legal notice aloud and opened the public hearing. Kris Schultz, Schultz Engineering, presented and explained the new site plan.

D. Osborne opened the meeting to the public:

Charles Carapezza, 3317 Clover Street, Pittsford, NY stated that although he lives on the East side, he is a member of the church, and is happy to drive the distance each week; that he believes in the church's message and its mission.

Glori Jones, 405 Benita Drive, Brockport, NY, stated that she and her husband are Clarkson residents, and they think that the church will enhance the community.

Deborah Lee, 7407 Ridge Road, Brockport, NY, stated that she is the owner of the Apple Tree Restaurant, and she is in full support of the church as her neighbor.

D. Osborne made a motion to close the public hearing; second by D. Virgilio; unanimously carried.

Other discussion:

S. Hanko inquired regarding the parking situation. K. Schultz stated that the church would do what makes sense; that there are 65 existing paved spaces and 25 unpaved spaces, for a total of 90; that according to code, it is sufficient at present; that the cost of putting in additional paved parking at this time is prohibitive. D. Crespo stated that there are currently 150 attendees and 50 youth, and attendance varies from week to week.

J. Jackson stated that the Board needs to make sure that there is never any parking on Ridge Road in front of the church property. JP Schepp added that the Town needs to have a mechanism in place in the future for when the parking needs to be adjusted. K. Schultz stated that he foresees the driveway entrance being moved to the westerly portion of the property, with the pond expanding to the west as well, thereby allowing for additional parking in front of the building. C. Fabry added that there is a lot of room to the rear/south of the building that could easily accommodate 200 additional spaces.

K. Schultz stated that the current site plan shows the proposed sanitary systems; 1) a septic/leach system that would be very expensive because the soil did not perc; and 2) a sanitary sewer system. The Mattison families have verbally agreed to give an easement and the Applicant is waiting to hear whether the McCagg family is in agreement; that the proposed easement across a portion of the McCagg property is the shortest, easiest easement route. K. Schultz stated that he will give the church an estimate for both systems; that he has spoken with JP Schepp and R. Olson regarding creating a sanitary district through the Town Board.

K. Schultz stated that at present, the Applicant is looking for approval of the site plan with change of use in order to start the renovations. C. Fabry stated that granting site plan approval at this time is fine; that he has no objection and does not see any problems so long as the sanitation issues are worked out. JP Schepp stated that he is not worried about the sanitation issues and that a solution will be found.

Discussion was had regarding the limitations on the parking and the seating (320 seats within the structure). A member of the public stated that the church would consider adding a second service on Sundays in order to solve the parking and seating issues.

S. Hanko stated that 65 paved and 25 unpaved spaces would be ok for a year. JP Schepp stated that he would like to see the plan show the additional 25 parking spaces. R. Olson stated that in order to meet with the Town Code for 90 spaces, the 25 spaces need to be paved or the Applicant needs to apply to the Zoning Board of Appeals (ZBA) for a variance within one year of the Notice of Decision granted herein; that overflow parking on Ridge Road West will be evidence that the Applicant is in need of additional parking spaces, and will be grounds to revoke the site plan approval and the Notice of Decision.

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J. Jackson asked if there would be a change in the lighting on the property, and the response was no.

Chairperson Osborne asked regarding a sign, and it was stated that the church would apply to the Zoning Board of Appeals for a sign permit.

D. Osborne called for a motion. S. Hanco made a motion granting the application for site plan approval for change of use subject to the following terms and conditions:

1. That the existing sixty five (65) paved parking spaces and the twenty-five (25) unpaved parking spaces equal the ninety (90) spaces required by Town Code based on the current member congregation.
2. That the twenty-five (25) unpaved parking spaces must be paved within one year of the date of this Notice of Decision, or the Applicant will be required to make application to the Zoning Board of Appeals for a variance from the requirements of §140.36 F(3) of the Clarkson Code.
3. That in the event that West Ridge Road (NYS Route 104) is used for overflow parking, that will be deemed presumptive evidence that there is insufficient parking on premises, and this Notice of Decision and the Certificate of Occupancy will be revoked until such time as additional sufficient parking is provided.
4. That the parking arrangement shall not block emergency vehicle and fire equipment ingress and egress.
5. That any dumpster on premises shall be properly screened.
6. That the Mylar shall meet all of the Town Engineer's specifications.
7. That the Mylar shall be signed by all Town of Clarkson representatives as specified in the Design Criteria.
8. That four (4) copies of the signed Mylar are to be provided to the Town of Clarkson.

D. Osborne second the motion; unanimously carried.

A short recess was taken.

NEW BUSINESS None

OLD BUSINESS None

REVIEW OF MEETING MINUTES from March 17, 2009

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

NEXT MEETING: April 21, 2009 at 7:00 p.m.

ADJOURNMENT:

D. Osborne made a motion to adjourn at 8:10 p.m.; second by T. Schrage; unanimously carried.

Approved 4-21-09

Respectfully submitted,

Ursula M. Liotta
Bldg. Dept. Coordinator