

TOWN OF CLARKSON
PLANNING BOARD - MINUTES

April 21, 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., and led all present in the Pledge of Allegiance. He reviewed the agenda and asked that cell telephones be silenced.

OPEN FORUM

None

PUBLIC HEARING

None

NEW BUSINESS

1. William Holding Builders – PBA #2009-2 (CONTINUATION)

Major subdivision – Sections 4, 5 & 6 (11 acres) – seeking preliminary approval
Liberty Cove Subdivision - Mission Hill Drive, Tax Acct. #69.01-01-1.12 and 54.18-03-41
Presented by: Bernard Schmieder, PE, LS

B. Schmieder introduced himself, and stated that at the last meeting the Applicant was looking for preliminary site plan approval for the extension of the Liberty Cove Subdivision cul-de-sac to the East and to the North, backing up to the Sherwood Drive subdivision. He stated that he and JP Schepp have worked through any remaining issues, and believes that all concerns have been addressed, as reflected on the revised preliminary plan provided to the Board for review. B. Schmieder further stated:

- that the storm water will go to two ponds per the Stormwater Pollution Prevention Plan guidelines;
- that the property to the N will have nice back lots with a beautiful ravine, mature trees and a second growth; that the subdivision extension to the N is a good use for that land;
- that not a lot of dirt will have to be moved on these developments because of the large lots; that there will be a minimum amount of earthwork, but a lot of infrastructure work to be completed.

D. Osborne stated that Monroe County Department of Planning & Development questioned if the 28 lots would be the maximum for the subdivision, and the answer is yes; MCDP&D had no other concerns.

D. Osborne stated that JP Schepp was concerned with the original swail to the SE; B. Schmieder stated that he made the swail steeper on the new plans; that W. Holding wants to try an open swail before piping it, but B. Schmieder thinks that JP Schepp may require that the swails be piped with a catch basin every 300 feet.

D. Osborne asked the Conservation Board representative, C. Mattison, if the revisions to the plan were what the Conservation Board was looking for, and if it would satisfy the Positive Declaration initially recommended, and she stated yes.

J. Jackson asked regarding the emergency access route, and B. Schmieder confirmed that it would be ten feet (10') wide with stone as previously approved by the Board in 2008.

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RESOLUTION ADOPTING NEGATIVE DECLARATION

69.01-01-1.12 & 54.18-03-41

Tax Account Number

William Holding Builders

Name of Applicant

Mission Hill Drive

Address of Property

Liberty Cove Subdivision (Sections 4, 5 & 6)

Name of Project

WHEREAS, the Applicant requests preliminary approval of a major subdivision for Sections 4, 5 & 6 at Liberty Cove Subdivision, Mission Hill Drive, Town of Clarkson, County of Monroe, State of New York.

WHEREAS, this Board, by motion dated April 21, 2009 declared itself to be the Lead Agency for Purposes of SEQRA; and

WHEREAS, in accordance with law and local practice, this Board referred this matter to the, the Town Conservation Board; and

WHEREAS, this project is an Unlisted Action for the purposes of SEQRA; and

WHEREAS, the developer has prepared and submitted Part 1 "Project Information" of the (long) Environmental Assessment Form; and

WHEREAS, the Conservation Board has reviewed the documents submitted and recommended a positive declaration be issued; and

WHEREAS, this Board having thoroughly reviewed the Environmental Assessment Form, the Recommendation from the Conservation Board, the Preliminary Grading & Stormwater Pollution Prevention Plan dated February 10, 2009 prepared by Bernard C. Schmieder, PE, LS, and all of the items in the application, and having considered each and every impact in accordance with SEQRA

NOW, upon consideration of the above and all of the previous documents, discussion and debate, upon the motion of Donald F. Osborne, seconded by Scott Hanko,

BE IT RESOLVED

1. That although the Conservation Board recommended a Positive Declaration as part of their review on April 8, 2009, the Planning Board hereby adopts a Negative Declaration, pursuant to revisions made April 2, 2009 to the aforementioned Plan; that the SEQR Determination of Significance is attached hereto and made a part hereof as if the same were set forth a length herein.

2. That this resolution shall take effect immediately. Upon a roll call vote, the votes were cast as follows:

Aye: S. Hanko; J. Jackson; D. Osborne; T. Schrage; D. Virgilio
Planning Board Members of the Town of Clarkson, Monroe County, New York

Whereupon the resolution was declared adopted.

A Public Hearing will be scheduled for May 5, 2009.

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617.20

Appendix A

State Environmental Quality Review

FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3
Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Liberty Cove Subdivision/ Mission Hill Dr.
Name of Action

Town of Clarkson Planning Board
Name of Lead Agency

Donald F. Osborne
Print or Type Name of Responsible Officer in Lead Agency

Chairperson
Title of Responsible Officer

X Donald F. Osborne
Signature of Responsible Officer in Lead Agency
Donald F. Osborne

X Brian Lemon
Signature of Preparer (if different from responsible officer)
Observation Board Chair/ Date

X 4/21/09
Date

website

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2. **Mavis Kenyon – PBA #2009-4**

Resubdivision Plan of Hidden Plains, Section 1

2586 Lake Road, Tax Acct. #029.03-1-45.2 (2.0 a.) & 029.03-1-45.121 (108.5 a.)

Presented by: Darryl Moser, LS, Schultz & Associates

D. Moser introduced himself and stated the following:

- that Applicant requested him to make a change in the lot line of the lands that she and her husband own;
- that Mr. Kenyon's health has been failing;
- that the Kenyons will continue to own both parcels so they will not need an easement for the driveway back to themselves;
- that a farmer has made an offer to the Kenyons to purchase the farm, as well as the house parcel;
- that if and when the property is sold, the attorneys will create the easement at that time;
- that there may be a subdivision in the future;
- that it is not a title issue, just the redrawing of a lot line by eighty feet (80').

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D. Osborne stated that this Board can waive further site plan review, and D. Virgilio made a motion to that effect; second by T. Schrage. The motion was interrupted by S. Hanco questioning the 45.07 frontage created by the lot line change, and whether it was sufficient per Code. C. Fabry stated that the Board should verify the frontage question, and D. Osborne suggested that we take a short recess while C. Fabry researched the Code.

When C. Fabry returned, he stated that he could not find the answer quickly, and asked that we table the matter until the May 5, 2009 meeting. D. Moser stated that if the lack of frontage per Code is an issue with this Board, the Applicant may need to apply for a variance from the Zoning Board of Appeals.

OLD BUSINESS None

OTHER

- The Board members discussed its representation on the new committee to research possible wind tower legislation. D. Osborne agreed to be the Planning Board representative, and D. Virgilio agreed to be the alternate.

- C. Mattison explained that three Conservation Board members recently attended a seminar re: SEQR, and it was determined that the procedure they had been following was incorrect (completing the SEQR form); that the CB should be reviewing a matter for SEQR **recommendation only**; that a post-meeting memo will be prepared by the CB chairperson recommending action to the Planning Board; that the Planning Board, as Lead Agency, is required to complete the SEQR form, make a determination, and indicate the same on the assessment form, as an agenda item of a PB meeting. After discussion, the Board agreed to the new procedure and it will be implemented regarding all future matters.

REVIEW OF MEETING MINUTES from April 7, 2009

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

NEXT MEETING: May 5, 2009 at 7:00 p.m.

ADJOURNMENT:

J. Jackson made a motion to adjourn at 8:10 p.m.; second by D. Virgilio; unanimously carried.

Respectfully submitted,

Approved 5-5-09

Ursula M. Liotta
Bldg. Dept. Coordinator