

TOWN OF CLARKSON
PLANNING BOARD – MINUTES

October 6, 2009

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, Bldg. Inspector/Code Enforcement
Ursula Liotta, Building Department Coordinator
*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 asked for a moment of silence for the latest fatalities in the military. Further, he requested that all cell phones be silenced, and proceeded to review the agenda.

PUBLIC HEARING

- James Tschiderer**, 170 Lawton Road, Tax Acct. #041.01-1-9.13. Zoned RS-20
Re: Fill Permit Application (PB#2009-11)

D. Osborne addressed the SEQR application and the Resolution with the Planning Board members, copies of which are attached hereto:

9/17/09
Re: James Tschiderer 170 Lawton Rd; fill permit application

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly.)
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain:
 Yes No

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Planning Board Town of Clarkson 10/6/09
 Name of Lead Agency Date

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

x Donald F. Osborne _____
 Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from responsible officer)

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RESOLUTION ADOPTING NEGATIVE DECLARATION

041.01-1-9.13
Tax Account Numbers
James Tschiderer
Name of Applicant

170 Lawton Road
Address of Property
Tschiderer Fill Permit
Name of Project

WHEREAS, the Applicant requests a fill permit application at 1709 Drake Road, Town of Clarkson, County of Monroe, State of New York; and

WHEREAS, this Board, by motion dated **October 6, 2009** declared itself to be the Lead Agency for Purposes of SEQRA; and

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

WHEREAS, a Short Environmental Assessment Form for Unlisted Actions was prepared; and

WHEREAS, this Board having thoroughly reviewed the Environmental Assessment Form, 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 D. Osborne, seconded by S. Hanko,

BE IT RESOLVED

1. That the Planning Board hereby adopts a Negative Declaration and 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
Planning Board Members of the Town of Clarkson, Monroe County, New York

Whereupon the resolution was declared adopted.

D. Osborne opened the Public Hearing by reading the legal notice aloud, and requested the Applicant to briefly explain his application. The Applicant stated that he is putting an addition onto the rear of his home, and he requires backfill around the house foundation to improve the grade and drainage.

D. Osborne asked for comments from the public and none were given. D. Osborne made a motion to close the public hearing; second by S. Hanko; unanimously carried.

Board Discussion:

C. Fabry stated that the one hundred fifty (150) cubic yards (10 truck loads) that Applicant is requesting will satisfy what he needs, together with the fill he has on site.

After no further discussion, J. Jackson made a motion that this Board approves J. Tschiderer's application to allow up to one hundred fifty (150) cubic yards of clean fill be added to said property, in order to improve the grade and drainage immediately surrounding the residence. Seconded by D. Virgilio; unanimously carried.

OPEN FORUM None

OLD BUSINESS

1. **Double A Ranch Subdivision – PBA #2008-9**
Applicant: Theodore Antonucci, Sr. Presented by: Daryl Carmichael
NW Corner of Lawrence Rd. & Clarkson Parma TL Road
Tax Acct. #031.03-1-8.21, Zoned RS-20

D. Carmichael brought the Board up to date with regard to lot 6 of the proposed subdivision, and JP Schepp's concerns since he last appeared before the Board in August 2008. He stated that he would like to move forward at this time. JP Schepp stated that all of his engineering concerns have been met, and addressed the reduction of the Letter of Credit per his letter dated September 24, 2009.

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Yet required:

1. Conservation Board to re-review SEQR on October 14, 2009;
2. A second referral is to be sent to MCDP&D;
3. Planning Board Public Hearing be scheduled for October 20, 2009.

NEW BUSINESS

1. **Marlene Blocker**, 2296 Sweden Walker Rd., Tax Acct. #030.04-1-35.11, Zoned RS-20
Re: Resubdivision (lot line change) & Site Plan Application (PB#2009-12)

Louie Hauck, building contractor, appeared on behalf of the Applicant and presented the revised site plan since the last meeting. L. Hauck clarified that question regarding driveway access to the existing barn on Lot R2-B. Since the barn will eventually not be there, driveway access is not required.

Further discussion included the barn in question; that three sides of the barn do not meet Town code requirements; that the site plan requires the notation that the barn will not house farm animals. JP Schepp added that he has worked with Adam Freeman, engineer, on this matter and all of his engineering concerns have been met.

Required:

1. Conservation Board to review SEQR on October 14, 2009;
2. Receipt of MCDP&D's response to our referral;
3. Planning Board Public Hearing be scheduled for October 20, 2009.

2. **Jason Horn**, Review revised site plan for new build
Lawton Road, Tax Acct. #041.01-1-9.12, Zoned RS-20

The site plan from 1981 was reviewed by this Board in June 2009. J. Horn presented a new site plan showing an updated septic system and the proposed house in a slightly different location; that the lot dimensions have not changed. JP Schepp had no engineering concerns; however, he suggested that the pond be dug differently than as shown on the site plan to make it more aesthetically pleasing.

Since this site plan had been previously approved as part of the larger subdivision in 1981, it requires no further action. D. Osborne made a motion to waive further Planning Board Review; second by D. Virgilio; unanimously carried.

3. **Jane Kimmel / David Waite, PBA #2009-13**, Subdivision & Site Plan Application
2435 Sweden Walker Road, Tax Acct. #041.01-1-5, Zoned RS-20

D. Waite, Applicant, presented the site plan for a flag lot out of the 89.5 acres owned by his grandmother-in-law, Jane Kimmel.

Discussion included:

- A pond is to be dug for fill around the house.
- The ROW is 60'; the driveway is 10' wide.
- The plan meets the private drive criteria.
- According to the building code, the driveway must have a turn around for emergency vehicles.
- The driveway should have a bump out of two feet to allow for the passage of cars.
- The Town Code states that for flat lots "where water services are available, the supply line shall be of adequate size to provide fire protection as determined by the Town Engineer and Building Inspector". The Applicant's engineer provided for a 2-inch PE service that should be sufficient. Further discussion included the possible installation of a sprinkler system.

Yet required:

1. Conservation Board to review SEQR on October 14, 2009;
2. Receipt of MCDP&D response to the Town's referral;
3. Planning Board Public Hearing be scheduled for October 20, 2009.

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OTHER

1. C. Fabry stated that the New Beginnings Christian Fellowship church requested a “temporary C/O” to begin using the facility prior to its completion. After Board discussion, it was decided that it would not be issued.
2. November 3, 2009 is Election Day, and the Planning Board meeting will be cancelled for that evening.

REVIEW OF MEETING MINUTES from September 15, 2009

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

NEXT MEETING: October 20, 2009 at 7:00 p.m.

ADJOURNMENT:

J. Jackson made a motion to adjourn at 7:40 p.m.; second by S. Hanko; unanimously carried.

Approved 10-20-09

Respectfully submitted,

Ursula M. Liotta
Bldg. Dept. Coordinator