

**TOWN OF CLARKSON**  
**PLANNING BOARD – MINUTES**

January 19, 2010

**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, asked that cell phones be deactivated, called for a moment of reflection for all of the people in Haiti, and reviewed the agenda.

**Open Forum**

1. James Donohue, owner, 7056-7060 Ridge Rd. and 7066 Ridge Road  
Re: Combining two parcels into one

J. Donohue introduced himself, and stated in part, as follows:

- That he lives at 2245 Lake Road and owns the property at 7056-7060 Ridge Road (lot 15) which includes a rental house, and a separate building from which his son runs a welding shop.
- That he purchased the lot w/house next door at 7066 Ridge Road (lot 16) through Monroe County;
- That he made arrangements with the fire department to burn the house at 7066 Ridge Road in May 2009.
- That last year, he had conversations with the Assessor about combining both parcels in order to eliminate duplicate tax bills.
- That he spoke with Sharon Mattison, Town Clerk, Chris Lyon, Acting Assessor, C. Fabry and U. Liotta, Building Department, regarding his confusion with the tax bills for both parcels, and subsequently received clarification from Timothy Murphy, director of the Monroe County Real Property Department.
- That he also discussed combining both lots with T. Murphy who told him that the County does not require a new site plan or survey unless the parcels to be combined are part of a subdivision, and the two parcels in question are not; that all the County needs is a written request from the Assessor and proof that the taxes are paid, and a new tax ID would be assigned to the combined parcel;  
that any other requirements are at the discretion of the Town.
- That he contacted Pat Didas, Town Board Member, who suggested that he appear before both the Town Board and Planning Board regarding the waiving of fees.
- That he appeared before the Town Board on January 12, 2010; that they said it was ok, so long as it is ok with the Planning Board.

R. Olson stated that both parcels are presently zoned Highway Commercial; that both parcels are undersized individually; that once they are combined, it will be difficult to take them apart.

D. Osborne stated that normally the Planning Board requires an application and a site plan for this type of request, and that the matter would be referred to the Conservation Board to make sure there are no environmental issues.

T. Schrage asked about the fill that was brought to lot 16 after the house was burned. C. Fabry stated that a lot more fill was dumped on the lot than was anticipated; that erosion control was put in place to stop the filling; that he does not believe there are adverse issues with the lot as is.

D. Osborne stated that pursuant to the Town Board meeting on January 12th, the Town Board agreed to waive the application fee providing there are no fees generated from the Town Attorney or Town Engineer, and the Planning Board issues a waiver for further review. Both R. Olson and JP Schepp stated that they have not incurred any fees with regard to this matter. Therefore, D. Osborne made a motion to waive SEQR and further site plan review; second by T. Schrage; unanimously carried.

**PUBLIC HEARING** continuation

1. **Michael Trojian / Konar Properties – PBA #2009-13** - Site Plan Approval  
122 West Ave. – Lakeside Professional Office Building #2  
Tax Acct. #068.02-1-16; Zoned Commercial (retail)

Prior to continuing the Public Hearing, D. Osborne reviewed the Full Environmental Assessment Form with the board members, and as lead agency, signed the Determination of Significance (copy attached hereto) noting that this project will not have a significant impact on the environment, therefore a negative declaration was prepared.

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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.

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**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

Professional Office Building #2

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

Signature of Preparer (if different from responsible officer)

website

X January 19, 2010

Date

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Further, D. Osborne read the Resolution Adopting Negative Declaration aloud, as follows:

**RESOLUTION ADOPTING NEGATIVE DECLARATION**

068.02-1-16

**Tax Account Numbers**

Michael Trojian, Konar Properties

**Name of Applicant**

122 West Avenue

**Address of Property**

Professional Office Building #2

**Name of Project**

**WHEREAS**, the Applicant requests site plan approval and redevelopment of 122 West Avenue, Town of Clarkson, County of Monroe, State of New York, as Lakeside Health Systems Professional Office Building #2, and further; and

**WHEREAS**, this Board, by motion dated **January 19, 2010** declared itself to be the Lead Agency for Purposes of SEQRA; and

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

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

**WHEREAS**, the developer has prepared and submitted Appendix A SEQR Full Environmental Assessment Form; and

**WHEREAS**, the Conservation Board has reviewed the documents, and submitted their comments to the Planning Board dated December 30, 2009; and

**WHEREAS**, this Board having thoroughly reviewed the Environmental Assessment Form, the comments from the Conservation Board, the Preliminary Site Plan issued December 1, 2009 by Marathon Engineering, 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 T. Schrage,

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

**WHEREUPON**, this Resolution was declared adopted.

D. Osborne reopened the Public Hearing by reading the legal notice aloud, and asked if anyone from the public was present and wished to speak. Arthur Applebee introduced himself and stated that he was present on behalf of the Planning Board, Village of Brockport; that he was interested in the drainage of the project as it relates to the Village.

J.P. Schepp stated that Jason Foote, an employee of his office at Chatfield Engineers, is responsible for plan review for the Village and is familiar with the proposed drainage. M. Trojian stated that they will make the retention pond larger as they advance the project.

M. Trojian stated that at the last meeting they were asked to make changes to the site plans, and he presented 11" x 17" plan copies with the changes highlighted in color, as follows:

- Orange: the parking lot aisle widths were changed from 22' to 24'.
- Yellow: sidewalks are now on both sides of the access road.
- Blue: the concrete dumpster pad with a chain link fence with slats. D. Osborne stated that a shadow box form of fencing is preferred by this board, and M. Trojian noted the change.
- Pink: gas and electrical services.
- Green: the Town of Clarkson General Notes was added to the plan.
- Pink on Landscaping Plan: the plantings have more than double the original plan, particularly on the East side.
- Red on Lighting Plan: the building lights have been added, and pole lights on the East side of the property shall have house shields to keep the light away from the property line.

A. Applebee inquired regarding the AC units; M. Trojian stated that they will be located on the back (North) side of the building. He also questioned the width of the driveway as it begins at West Avenue, and why does the width decrease as it heads North; why not continue with two lanes? J. Stapleton stated that it is shown as two lanes at the throat and it becomes one lane, however, M. Trojian explained that the one lane is temporary until the master plan is put into effect; that it will proceed to the North as two lanes in the future; that the present site plan is the same plan that was presented to the Brockport Village Board.

M. Trojian stated that he has received comments from Monroe County Department of Transportation, most of which were notes that needed to be added to the plan.

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R. Olson stated that he has no further concerns however, he would like to review the cross access easement on behalf of the Town of Clarkson to verify its accuracy. J.P. Schepp stated that he has no further concerns; that the developer and engineers did a nice job.

D. Osborne made a motion to close the Public Hearing; second by S. Hanko; unanimously carried.

S. Hanko made a motion that the Planning Board hereby grants the application subject to the following:

- That the site plan shall indicate the dumpster fencing to be “shadow box” instead of “chain link with slats”; and
- That Richard Olson, Attorney, shall review the cross access easement on behalf of the Town of Clarkson; and
- That the Applicant shall comply with the requirements of the Town Engineer; and
- That all expenses incurred by the Town for engineering fees, legal fees and SEQRA review fees relating to this project must be paid before the Mylar is signed or a building permit is issued; and
- That all real property taxes must be paid in full prior to the signing of the Mylar; and
- That four (4) copies of the signed Mylar shall be provided to the Town of Clarkson.

Second by T. Schrage; unanimously carried.

**OPEN FORUM**           None

**OLD BUSINESS**       None

**NEW BUSINESS**     None

**OTHER**

R. Olson stated that the Windtower Committee is close to completion with regard to their proposal for review by the Town Board; that the proposed local law will include provisions for three sizes: small, medium and large.

**REVIEW OF MEETING MINUTES from January 5, 2010**

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

**NEXT MEETING:**     February 2, 2010 at 7:00 p.m.

**ADJOURNMENT:**

T. Schrage made a motion to adjourn at 8:00 p.m.; second by S. Hanko; unanimously carried.

**Approved 2-2-10**

Respectfully submitted,

Ursula M. Liotta  
Building Department Coordinator