

TOWN OF CLARKSON
PLANNING BOARD – MINUTES

March 15, 2011

Board Members

Don Osborne – Chairperson
John Jackson *
Scott Hanko
Dave Virgilio
Tom Schrage

Support Board Members

Richard Olson, Town Attorney
John Paul Schepp, Town Engineer
Chad Fabry, Building Inspector/Code Enforcement
Ursula Liotta, Administrative Assistant
*excused

CALL TO ORDER

D. Osborne called the meeting to order at 7:00 p.m. He led all present in reciting the Pledge of Allegiance, followed by a moment of silence for the Japanese people; further, he reviewed the agenda.

PUBLIC HEARING

1. **Geri Ann Frasch**, Special Use Permit – Change of Use
Proposed use: learning/tutoring center @ 4099 Lake Road, #069.05-1-6, RS-10

D. Osborne opened the Public Hearing by reading the Legal Notice aloud. D. Osborne asked G. Frasch to briefly explain the purpose of the application. G. Frasch stated that she intends to:

- provide before and after school care for children in grades K-5;
- provide full day care during school vacations, holidays, and summer vacations; and
- provide homework help / group tutoring.

The center will include:

- maximum number of children: 20
- 1 director, 2 employees (SUNY Brockport students/staff)
- hours of operation: 6:30 am – 6:00 p.m. M-F
- drop off times: 6:30 am – 9:00 am
- pick up times: 3:00 pm – 6:00 pm

D. Osborne inquired of C. Fabry if the intended space had been brought up to code. C. Fabry stated that no work had been done to the building as of yet; that there are some hurdles to overcome but those are ancillary to the application before the Board. C. Fabry explained to the audience that because of the change of use to the building, a few items need to be brought up to current code standards, i.e. handicap accessible ramp and railing, and handicap accessible bathroom; that the criteria is specific and demanding.

There were no comments from the public. S. Hanko made a motion to close the Public Hearing; second by D. Virgilio; unanimously carried.

Further Board discussion:

D. Osborne inquired of JP Schepp if he had any engineering concerns. JP Schepp stated that he had reviewed the property layout provided by the Applicant which showed the paved areas around the property and parking spaces specific to the center; that the entrance configuration has been addressed; that screening issues for those properties to the West and North should not be a concern; that there is nothing on the outside of the building that concerns him.

D. Osborne made a motion determining that this matter is a Type II SEQR action and therefore is not subject to further environmental review. Second by T. Schrage; unanimously carried.

S. Hanko made a motion to grant G. Frasch's application for a Special Use Permit – Change of Use. Second by D. Virgilio; unanimously carried. A Notice of Decision will be rendered.

OPEN FORUM

1. **Terry Anderson**, Lot B, One Tree Hill Subd., Drake Rd., RS-20, #039.04-1-6.1
Re: permission to build a barn before the residence

Daryl Carmichael appeared on behalf of T. Anderson, and stated that based on the recently approved site plan for said property, T. Anderson would like to build the barn first, and build the house in 2-5 years. C. Fabry stated that T. Anderson came to the office to obtain a building permit for the barn, but he was told that our code does not allow for the build of an auxiliary structure before the primary residence; that in order to build the barn first, T. Anderson must submit house plans and barn plans, and pay for the building permit for both upfront.

R. Olson stated that this procedure is consistent with most municipalities in the area; that T. Anderson could appeal the Building Department's decision and/or the Town's requirements to the Zoning Board of Appeals, if he so chooses.

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2. **Kelly Fairchild**, Lot 3, Hidden Valley Subd., Lawrence Rd., RS-20, #029.04-1-34
Re: permission to change placement of house on approved site plan

Daryl Carmichael showed JP Schepp a sketch of the how K. Fairchild wishes to change the angle of the proposed home to accommodate solar panels, and move the driveway; that he is aware the contour lines will change. JP Schepp stated that the parcel is a 5 acre lot, and can handle the proposed changes; that there are no Board issues to consider. D. Carmichael was asked to finalize the changes on a map, and provide a copy to JP Schepp and C. Fabry to review, and to provide a copy to the Town.

3. **Stanley & Patricia Galinski**, Lot 1, Pogroszewski Subd., Lawrence Rd., RS-20, #029.04-1-41
Re: permission to move driveway on approved site plan

P. Galinski explained that they wish to move the position of the driveway on the approved site plan by 30' to the East. The house will not have an end garage on the West side, but instead, a front garage entrance. They also wish to move the house 50' back to the South, resulting in the driveway being 150' long. Discussion followed between S. Galinski, JP Schepp and the Board.

T. Schrage made a motion to allow the driveway to be moved 30' to the East and the house to be moved 50' to the South. Second by D. Virgilio; unanimously carried.

NEW BUSINESS:

1. **George & Lynn Kessler**, Owners/Sellers and **Ricky & Dawn Tetro**, Purchasers
Joint application for a Special Permit re: single apartment in single family home
@ 116 Sugar Tree Circle, RS-10, #054.18-4-55

The Board reviewed the application. There is no change in the structure as a "single family home with a single apartment". Although the Kesslers had built the structure as a "single family home with a single apartment" in 1991, and used it as such, they had not made application for the Special Permit at that time, as required by Town Code. The Kesslers now wish to sell the property to the Tetros who also intend to use it as a "single family home with a single apartment", however, the mortgage company is requiring that the Special Permit be applied for and granted prior to closing. The Board called for a Public Hearing to be scheduled on April 5, 2011.

OLD BUSINESS:

1. **Donald F. Cook**, 9367 Ridge Road (Tax Acct. #053.01-1-2)
& 44.5 acres, Ridge Road (Tax Acct. #053.01-1-1)
Re-review & sign Mylar re: lot line change

JP Schepp signed the Mylar.

OTHER: Reading material was distributed to the board members.

REVIEW OF MEETING MINUTES: March 1, 2011

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

NEXT MEETING: April 5, 2011

ADJOURNMENT:

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

Approved 4-5-11

Respectfully submitted,

Ursula M. Liotta
Administrative Assistant