

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

April 5, 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 reflection for the Japanese people; further, he reviewed the agenda.

**PUBLIC HEARING:**

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

D. Osborne opened the Public Hearing by reading the legal notice aloud, and asked the Applicants if they would briefly explain the purpose of the application. Mrs. Tetro stated that she and her husband were purchasing the home, and it was their intent to have her parents reside in the single apartment. D. Osborne stated that a “single apartment in single family home” is an allowed use in RS-10 zoning with a Special Permit.

D. Osborne asked if there were any comments from the public. Michael Clark, 120 Sugar Tree Circle, stated that he lives next door to the current owners, and he was concerned that the single apartment could be rented to people other than Mrs. Tetro’s parents. D. Osborne stated that the Board would take his concern into consideration.

D. Osborne made a motion to close the Public Hearing; second by S. Hanko; unanimously carried. D. Osborne reviewed aloud the criteria used in the past for similar Special Permits. Board discussion followed pertaining to the specific criteria in this matter, including the fact that “...the owner is the main resident and that the external appearance of the house is that of a single-family dwelling”, per Clarkson Town Code §140-22(B)(2)(c).

D. Virgilio made a motion determining that this matter is a Type II SEQR action and therefore is not subject to further environmental review; second by J. Jackson; unanimously carried.

D. Virgilio made a motion that the Planning Board grant a Special Permit to the Applicants subject to the following terms and conditions:

1. That it is specific ONLY to the single apartment in the premises, not the main residence/living area of Purchasers/Owners; and
2. That the resident(s) of the single apartment shall only be immediate family member(s) of the Purchasers/Owners; and
3. That no “for rent” or “for lease” signs are permitted for posting on the house or in the yard; and
4. That the single apartment consists of one bedroom, one full bath, one kitchen, one dinette area, and one living room area; and that it is accessed by a separate entrance on the SE side of the premises, and is accessible to the main residence through a door to the family room; and
5. That this Special Permit is automatically renewable every two (2) years so long as Purchasers/Owners reside on the premises, and have not violated the other terms and conditions of this Special Permit, and do not sell the property; and
6. That this Special Permit shall be revoked if any of the conditions stated herein are violated.

Second by S. Hanko; unanimously carried. A Notice of Decision will be rendered.

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**OPEN FORUM:**           None

**OLD BUSINESS:**

1.       **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

D. Carmichael made changes to the site plan, and provided copies to JP Schepp and the Building Department. JP Schepp wrote a letter to this Board dated 3-21-11, stating that after his review of the site plan, he has no engineering concerns.

**NEW BUSINESS:**       None

**OTHER:**

1.       New Beginnings Christian Fellowship Church, 7397 Ridge Rd., #070.01-1-23.2  
Request to extend septic inspections

The Board briefly discussed the letter received from Robert J. Crowley and deferred further discussion until the April 19, 2011 meeting.

2.       Village of Brockport, Sunflower Landing, Section 3 / MCDP&D Response to Referral & Legal Notice

The Board reviewed the information received.

**REVIEW OF MEETING MINUTES:** March 15, 2011

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

**NEXT MEETING:** April 19, 2011 – S. Hanko and D. Virgilio will not be present.

**ADJOURNMENT:**

J. Jackson made a motion to adjourn at 7:45 p.m.; second by S. Hanko; unanimously carried.

*Approved 4-19-11*

Respectfully submitted,

Ursula M. Liotta  
Administrative Assistant