

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

September 6, 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 and reviewed the agenda. A quorum was present.

**OLD BUSINESS**

**NEW BUSINESS**

**PUBLIC HEARING**

1. **David Dnistran, owner – Moorman Creek Subdivision – site plan approval**  
1946 Drake Road, Tax ID#039.04-1-13.12, 80.26 acres, Zoned RS-20  
Presented by: Cory Tufano, DDS Engineers

D. Osborne opened the Public Hearing by reading the Legal Notice aloud, followed by the Resolution:

**RESOLUTION ADOPTING NEGATIVE DECLARATION**

|                           |                            |
|---------------------------|----------------------------|
| 039.04-1-13.13            | 1946 Drake Road            |
| <b>Tax Account Number</b> | <b>Address of Property</b> |
| David Dnistran            | Moorman Creek Subdivision  |
| <b>Name of Applicant</b>  | <b>Name of Project</b>     |

**WHEREAS**, the Applicant requests Site Plan Approval of a two lot subdivision, namely, Moorman Creek Subdivision, consisting of one 5.0 acre lot and one 75 acre lot, located on the East side of Drake Road, approximately one-half mile North of Ridge Road, in the Town of Clarkson, County of Monroe, State of New York; and

**WHEREAS**, this Board, by motion dated **September 6, 2011**, 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 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 August 24, 2011; and

**WHEREAS**, this Board having thoroughly reviewed the Environmental Assessment Form, the comments from the Conservation Board, the Subdivision Plan dated August 11, 2011 and prepared by DDS Engineers, 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, and upon the motion of S. Hanko, seconded by D. Virgilio, and unanimously carried,

**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.

Whereupon the Resolution was declared adopted.

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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

Moorman Creek Subdivision, David Dnistran, Applicant  
Name of Action

Planning Board - Town of Clarkson  
Name of Lead Agency

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

Chairperson  
Title of Responsible Officer

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

[Signature]  
Signature of Preparer (If different from responsible officer)  
Conservation Bd.

x 9/6/11  
Date

x 8/21/11  
Date

website

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C. Tufano stated the following:

- the proposed 40' easement to the creek has been added to Lot 2 at the N end of the property.
- he contacted Monroe County re: the whereabouts of the septic system on Lot 1 and noted the same.
- he verified that wells require a 10' setback from any property line for maintenance purposes, and therefore, the N property line of Lot 1 was increased by 10' to allow for an 11' setback to the existing well.
- Federal wetland boundaries were added.
- Lot 2 was noted to be "not approved for building".
- The Legend was updated.

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No public was present to comment. D. Osborne stated that JP Schepp had sent an email earlier in the day indicating that he had reviewed the revised site plan and had no further engineering concerns. S. Hanko made a motion to close the Public Hearing; second by D. Virgilio; unanimously carried.

D. Virgilio made a motion that pursuant to Chapter 116 of the Clarkson Town Code, the Planning Board grant the application as follows:

1. **The Moorman Creek Subdivision** will be comprised of:
  - Lot 1 = 5.005 acres (with existing residence)
  - Lot 2 = 75.217 acres (vacant land; not an approved building lot)
2. Applicant shall comply with the requirements of the Town Engineer; and
3. All expenses incurred by the Town for engineering fees, legal fees and SEQRA review fees related to this project must be paid before the Mylar is signed or a building permit is issued; and
4. All real property taxes must be paid in full prior to the signing of the Mylar; and
5. Applicant shall provide the Town with 4 signed copies of the Mylar.

Second by S. Hanko; unanimously carried.

**OTHER**

1. **Clarkson Community Church**, 8343 Ridge Road, #054.14-1-40, re: proposed parking lot expansion

No church representative was present. Discussion among the Board members included the following:

- Town records & tax records indicate that the church and the schoolhouse are two separate parcels w/individual Tax ID numbers; no deeds are on file in the Assessor's office; U. Liotta was unable to locate recorded deeds on the Monroe County website.
- Ownership of parcels needs to be identified in order for there to be a proper Planning Board application.
- Review of the Planning Board 6-7-11 minutes indicates that site plan approval is required.
- The Planning Board application received on 9-2-11 needs to be amended for site plan approval, and the application fee corrected, i.e. commercial \$500, not special permit \$150.

**REVIEW OF MEETING MINUTES:** August 16, 2011

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

**NEXT MEETING:** September 20, 2011

**ADJOURNMENT:** S. Hanko made a motion to adjourn at 7:30 p.m.; second by D. Virgilio; unanimously carried.

*Approved 9-20-11*

Respectfully submitted,

Ursula M. Liotta  
Administrative Assistant