

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

**February 7, 2012**

**Board Members**

Don Osborne, Chair \*  
John Jackson  
Scott Hanco, Acting Chair  
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**

The meeting was called to order at 7:00 p.m. S. Hanco, Acting Chair, led in the Pledge of Allegiance, and reviewed the agenda.

**PUBLIC HEARING**

1. **Cory J. Spalty**, Owner/Operator, Sugartree Ortho Lab LLC  
Proposed tenant @ 2176 Lake Road, Suite 4, Upper Level  
Tax ID #029.03-1-31, Zoned RS-10/Hamlet Mixed Use  
Re: Special Permit – Change in Use

S. Hanco opened the Public Hearing by reading the legal notice, and he asked C. Spalty to briefly explain why he made application to the Town for the Special Permit-Change in Use. C. Spalty stated that he is looking to move his business into the larger space, with no change in the equipment that he is currently using.

No public was present for the Public Hearing. D. Virgilio made a motion to close the Public Hearing; seconded by T. Schrage; unanimously carried.

Discussion: D. Osborne and C. Fabry visited C. Spalty's current business site and found that he works with certain polymer powders and chemicals similar to those used by nail salons; that he buys in maximum quantities of 64 oz. only; that he uses a small open flame to solder the orthodontic devises; that all of his equipment takes up no more space than a desk top. There were no further questions or concerns from the Board. S. Hanco stated that this is a Type II SEQR action and not subject to further environmental review.

The Planning Board determined that no further site plan review was necessary and granted Applicant's request. J. Jackson made a motion granting the application for a Special Permit – Change in Use, as follows:

1. This permit is granted based upon information provided to this Board stating that certain chemicals, solvents and products are used. The following are approved:

- Ethylene-Vinyl Acetate Copolymer aka Elvax
- Orthomec ProSum Putty
- Proform Dual Laminate, E-Gasket, ASD Base
- Orthodontic plasters
- Eastman Thermoplastic Coployesters
- Cavicide
- Liquid Foil – Separator
- Pumice Flour

2. Should this list be expanded the Owner/Operator shall, prior to bringing the material to the location, be obligated to inform the Building Inspector of the new material and to provide the Building Inspector with any information requested regarding the material. Should the Building Inspector determine that the added material may be beyond the scope of this permit, he or she shall refer the matter to the Planning Board for modification of the permit. Failure to notify the Building Inspector of new material shall be grounds for revocation of this permit.

The motion was seconded by D. Virgilio; unanimously carried.

**Open Forum**

1. **Tim Rogers**  
Re: 3438 Lake Road, Tax ID#054.01-1-16, Zoned RS-10/Neighborhood Res. - proposed duplex build  
Property Owner: Alan Hain

T. Rogers and A. Hain were present. T. Rogers questioned what needs to be done to in order to get a building permit to build a duplex at the above address.

In 2009, A. Hain moved topsoil and graded the lot with existing fill, under C. Fabry's direction. Schultz Engineering has informed T. Rogers and A. Hain that since there have been significant changes to the site since 1995, and since the site plan from 1995 was unsigned, it needs to be revised at this time. Board discussion followed, particularly with regard to the expiration of its approval from 1995. T. Rogers and A. Hain were informed that a new Planning Board application and process is required.

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**New Business**

1. **Roger Kimmel**, 2227 Sweden Walker Road, Tax ID#030.03-1-12.2, Zoned RS-20/Neighborhood Res.  
**Louie Hauck**, 2245 Sweden Walker Road, Tax ID#030.03-1-13.2, Zoned RS-20/Neighborhood Res.  
Re: Lot line change

L. Hauck explained as follows:

- that the property line between his lot and R. Kimmel's lot, is the Hilton/Brockport school district boundary line;
- that his property is on the Brockport side, and the Kimmel property is on the Hilton side;
- that he is purchasing one (1) foot of land from R. Kimmel so that his northern lot line will extend past the school district line. This extension will enable L. Hauck to have both Brockport and Hilton Central School District rights, enabling his children to attend their school of choice, Hilton schools.
- that according to NYS school law, there is no relevance as to the amount of land that needs to cross the school district boundary line;
- that both the proposed site plan and instrument survey map reflect the one (1) foot lot line change.

Board discussion followed. This lot line change is not creating anything substandard. J. Jackson made a motion to waive further site plan review; seconded by D. Virgilio; unanimously carried.

**Old Business**

1. **Theodore Antonucci, Sr.**  
Re: Antonucci Property, Lot 7, Lawrence Road, Tax ID#031.03-1-7, Zoned RS-20/Neighborhood Res.  
Review site plan signed June, 2010

Per Kris Schultz's request, the Board reviewed the site plan signed in June, 2010, and found that it does not require a re-signature by the Planning Board chair.

2. **Brockport Federal Credit Union**, 400 West Ave., Tax ID#068.02-1-43.13 – status report

A letter was sent to BFCU and the developer, MDR Construction, Inc., on February 2, 2012 pertaining to the action required by the Town with regard to the new build and the roadwork improvements.

**Other**

1. **Town of Hamlin** – MCDP&D Response to Review Referral - 2168 Roosevelt Hwy.

JP Schepp explained the application; that the applicant is combining lots through lot line changes; no new development; it will have no adverse affect on the Town of Clarkson.

2. **Continued review of Zoning Code**

R. Olson stated that the goal is to make Clarkson's definitions consistent with the NYS Building Code. C. Fabry stated that he will finish the work he has started in comparing the definitions, and hopes to have it completed by next meeting.

**REVIEW OF MEETING MINUTES:** January 17, 2012

J. Jackson made a motion to approve the minutes; seconded by D. Virgilio; unanimously carried.

**NEXT MEETING:** February 21, 2012 – S. Hanko and D. Virgilio will be away for this meeting.

**ADJOURNMENT:** J. Jackson made a motion to adjourn at 8:05 p.m.; seconded by T. Schrage; unanimously carried.

*Approved 2-21-12*

Respectfully submitted,

Ursula M. Liotta  
Administrative Assistant