

TOWN OF CLARKSON
TOWN BOARD MEETING
November 27, 2018

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, November 27, 2018 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 PM.

PRESENT:

Gerald Underwood	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	Councilperson
Patrick Didas	Councilperson
Jackie Smith	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	Highway Supt.
Richard Olson	Attorney for the Town

ALSO:

** Kristin Coon	Director of Finance
Elizabeth Spencer	Assessor
**excused	

Supervisor Underwood opened the meeting, and Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance. A moment of silence was observed for those serving in the military and our First Responders.

OPEN FORUM

No one spoke.

REQUEST FOR REZONING; CLARKSON-BIRNBAUM, LLC

Tom Fromberger from MRB Group and Bernard Birnbaum came before the Board to request rezoning of two parcels located near the southwest intersection of Ridge Road and Lake Road.

T. Fromberger stated the total of both parcels is approximately 200 acres. The parcels are currently zoned *Planned Unit Development* (PUD) and he would like this rezoned to *Planned Highway District* (PHD). The proposed uses we are looking for include a combination of greenhouses, nursery, light manufacturing and a mix of warehouses and professional offices. This is what the market is looking for in this area. Tom stated that they would be keeping the existing buffer along Ridge Road. They would like to expand this buffer out to approximately 300 feet, 150 feet along the residential area. The first phase would involve some clearing and identifying an access point. At this time, they do not have a definitive project, they are just seeking re-zoning before submitting an application.

B. Birnbaum stated that the land was originally owned by his grandfather and for generations his family has tried to determine a use for it. They have been in contact with *Greater Rochester Enterprise* who have indicated a need for light manufacturing and agricultural use. B. Birnbaum agrees that this would be a good role for this land. He reiterated that they do not have any proposed projects at this time.

Councilperson Hoy asked if they have given any consideration to Incentive Zoning, which would possibly bypass some of the rezoning red tape. Tom Fromberger stated they would be willing to talk about it, however logistically they do not think it is the best option. He feels it could slow down the process and they have found that people are looking for shovel-ready sites that are open and ready for development. Councilperson Hoy asked if under the present PUD zoning, are there ways to do what you want to do. B. Birnbaum stated that they would have to build about 200 residential units on the site first and unfortunately, he has no expertise in this area. He added that he would be a little nervous undertaking this type of project as he typically doesn't do that type of construction. Councilperson Smith asked if the developer had reviewed the Town's Comprehensive Plan to understand the overall plan for the Town which Tom Fromberger

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from MRB responded they had looked at it. Councilperson Smith asked if the parcels they were looking at to rezone were in the Historical Overlay District, Mr. Birnbaum did not have an answer for this. Mr. Birnbaum stated that Clarkson-Birnbaum, LLC would retain ownership of the company and would have tenants. They will figure out the best use for the land and create a masterplan.

Attorney, Richard Olson stated that the property may not be eligible for PHD. According to Town code, section 140.34, the property has to be situated in whole or in greater part of an existing commercial or industrial district with frontage along a major road. This property is not zoned commercial or industrial. If the application moves forward a full EAF would be needed. The applicant stated that Phase 1 has already been completed (that document was not provided to the Town Board). In addition, the Comprehensive Plan would need to be amended, which is a process all by itself.

Supervisor Underwood stated that he is still rather new at this and doesn't understand planning and zoning completely. Councilperson Didas stated that there are other areas in town where use is allowed for several of the types of businesses mentioned and we have not seen any demand for that.

Duane Marshall of Lake Road stated that years ago a parcel on Clarkson Parma Townline Road was rezoned to Commercial. There was never any commercial interest in the property so eventually it was rezoned back to residential.

Councilperson Didas summarized the Clarkson-Birnbaum, LLC rezoning discussion as follows:

- The applicant is asking the town to do something that is not allowed by code.
- The applicant is asking the town to do something that is not allowed by the town comprehensive plan.
- The applicant is unwilling to provide the Town with any incentive zoning.

Councilperson Didas asked if everyone agreed with his interpretation. Supervisor Underwood and Councilpersons Hoy, Filipowicz and Smith all stated that they agreed with the summarization. B. Birnbaum stated that this is only the first step, hopefully everyone can work together on a compromise. Councilperson Filipowicz stated when the town looks at rezoning a property the board is looking at what is best for the town. Attorney, Richard Olson stated that the next logical step is to return with a project. Supervisor Underwood stated that before this application can move forward, the town will need to have a better idea of where you want to go or what you want to do.

ASSESSOR REPORTS

L. Spencer reported that she will be the liaison between 911 Emergency Communication Center and the Town of Clarkson. Exemption renewals have been mailed out, returnable by March 2019. The second and final Assessment/Exemption seminar was held on November 14th. It was informative and well attended.

TOWN HALL MODIFICATIONS

A brief discussion took place regarding the proposed plan sketch provided by David Strabel, R.A. It was decided that additional research is needed before obtaining a cost estimate.

RESOLUTION #266**APPROVE TIMESHEET FORMAT**

Introduced by Councilperson Filipowicz

Seconded by Councilperson Hoy

Approve updated timesheet format.

VOTE OF THE BOARD

AYES: Councilpersons Hoy, Filipowicz, Didas and Smith

NAYS: None

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TOWN BOARD REPORTS

Councilperson Smith reported that Recreation Center and Library meetings have been pushed off due to the Thanksgiving Holiday. She thanked everyone that volunteered for the library fundraiser; it was very successful.

Councilperson Didas reported that to date seven trees have been purchased for the Kimball Park Tree Sponsor program. All sponsors have been acknowledged in writing. Planting will occur in the spring.

Councilperson Filipowicz reported that the Employee Handbook committee continues to meet and are approximately 2/3 of the way through.

SUPERVISOR REPORTS

Supervisor Underwood reported that the Town purchased a bond for \$620,380.00 at 4.466% to pay the cost of the Lake-Cook Sewer District, Clarkson Parma Townline Water District and a Highway Department truck. There was only one bidder. BPD Municipal Finance stated they were very happy with the interest rate and recommended the Town agree to the purchase. He continues to work with Jay Grasso on the median income survey and thanked L. Spencer for putting together the preliminary parcel count.

TOWN CLERK REPORTS

S. Mattison reported she closed school tax collection on November 7th. She and Kathy collected just shy of \$6 million. Transfer station permits go on sale December 17th. Preparations for town/county tax collection will begin next week. She sponsored a blood drive in conjunction with the Red Cross with 17 donors participating; another blood drive has been scheduled for January 25th. To date, three letters of interest have been received for the open Library Board seat. Interviews will be scheduled for December 11th at 5:00 P.M.

HIGHWAY SUPT. REPORTS

Supt. Viscardi reported that winter preparations are in place and 100 tons of salt have already been used. Bob met with a County Project Engineer regarding a bridge project that the Town Highway Department will do next year on Lawrence Road. The house at 8470 Ridge Road has been demolished and removed.

Duane Marshall of Lake Road questioned how the Town is going to handle sidewalk plowing. Supervisor Underwood stated that the main sidewalks will continue to be plowed. Subdivision sidewalks will be plowed only if a majority of the residents request the service as a maintenance fee will be charged to all the residents in the district.

RESOLUTION #267
MINUTES

Introduced by Councilperson Smith
Seconded by Councilperson Didas
To approve November 13, 2018 minutes.

VOTE OF THE BOARD

AYES: Councilpersons Hoy, Filipowicz, Didas and Smith
NAYS: None

AUDIT 11-02-2018

Approval of audit 11-02-2018 is tabled until 12-11-2018 meeting.

RESOLUTION #268
EXECUTIVE SESSION

Motion by Councilperson Smith
Seconded by Councilperson Didas
To enter executive session at 6:45 P.M. to discuss a personnel matter.

VOTE OF THE BOARD

AYES: Supervisor Underwood, Councilpersons Hoy, Filipowicz, Didas and Smith
NAYS: None

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RESOLUTION #269
RETURN TO REGULAR SESSION

Motion by Councilperson Didas
Seconded by Councilperson Filipowicz
To return to regular session at 8:20 P.M.

VOTE OF THE BOARD

AYES: Supervisor Underwood, Councilpersons Hoy, Filipowicz, Didas and Smith
NAYS: None

RESOLUTION #270
PAY INCREASE FOR OUT OF CLASS WORK

Motion by Councilperson Filipowicz
Seconded by Councilperson Smith
To pay U. Liotta the difference of her pay for out of class work.

VOTE OF THE BOARD

AYES: Supervisor Underwood, Councilpersons Hoy, Filipowicz, Didas and Smith
NAYS: None

RESOLUTION #271
ADJOURNMENT

Introduced by Councilperson Smith
Seconded by Councilperson Didas
To adjourn the Town Board meeting at 8:27 P.M.

VOTE OF THE BOARD

AYES: Supervisor Underwood, Councilpersons Hoy, Filipowicz, Didas and Smith
NAYS: None

Respectfully submitted,

Sharon S. Mattison
Town Clerk

Approved 12-11-2018