

**TOWN OF CLARKSON PLANNING BOARD MEETING MINUTES**  
**Tuesday, November 19, 2019 at 7:00 PM**

The Planning Board of the Town of Clarkson held their regularly scheduled meeting on Tuesday, November 19, 2019 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 PM.

**PRESENT – Board Members**

Conrad Ziarniak, Chairperson  
John Jackson  
William Rowe  
Dave Virgilio  
Thomas Schrage \*

**Support Board Members**

Richard Olson, Town Attorney  
J.P. Schepp, Town Engineer  
Kevin Moore Bldg. Inspector  
Anna Beardslee, Bldg. Dept. Clerk  
\* Excused

**CALL TO ORDER**

C. Ziarniak called the meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance with a moment of silence honoring Veterans, military service members and first responders.

**PUBLIC HEARING**

**Applicant/Property Owner:** Apple Tree Inn, Inc. of Monroe County

**Property Address:** 7407 Ridge Road

**Tax ID:** 70.01-001-023.1

**Acres:** 1.4 acres

Seeking Site Plan Approval and redevelopment of the Apple Tree Inn to modify inside of current restaurant with upgrades and improve seating.

C. Ziarniak began by reading aloud the legal Notice for the Apple Tree Inn. Thyago and Susan Raposo are at meeting to represent their restaurant proposal. T. Raposo and S. Raposo introduced themselves to the Board members and public present. They explained their experience in the restaurant business. It was stated that they currently live in NYC and would like to move back to Rochester to be close to home. S. Raposo stated that both herself and husband had been to the Apple Tree Inn a few times and really liked the atmosphere and would like to bring that back. They explained the concept of their restaurant which features Brazilian-American food, in a family setting. They do have the idea to have a small bar, which will feature, beer, wine, and cocktails.

C. Ziarniak asked if anyone was at the meeting to represent their site plan.

Dave Strabel, the architect working on their project, presented a site plan of the renovations inside the restaurant, and gave an overview of some changes to the parking areas and entrance to the restaurant.

C. Ziarniak asked if there was any public who wanted to speak.

Laurie Newman stated she and her husband live across the street from Apple Tree Inn. She had one question in regards to the entrance to turn into the restaurant. She stated that in the past, people who were going to the restaurant constantly would miss the turn and would use their

driveway as a turn around. She wanted to know if signage could be put up to alleviate the traffic in her own driveway.

S. Raposo stated that they would definitely go before the Zoning Board to make that possible.

Greg Avery stated he lives in the brick house to the west of the Apple Tree Inn. He questioned if the driveway to the church is shared with the Apple Tree Inn.

S. Raposo stated it was a shared driveway.

He asked about seating capacity. S. Raposo stated that the maximum capacity is 44.

G. Avery asked about hours of the restaurant. S. Raposo stated that the hours would begin with a happy hour from 4 PM till about 9:30 or 10:00 PM. They would also like to possibly have lunches, and brunches on Sunday's.

Laurie Newman asked if they were trying to obtain a full liquor license. S. Raposo stated, yes. There would be wine, beer, and they have some great ideas for cocktails.

David Cresbo stated that he has had the pleasure to meet with both S. Raposo and T. Raposo and feels that the restaurant is a great idea and he is excited for it. His concern is the bar that they want to have, for the reasons of the church next door. He explained that the church has functions throughout the week at night. Most of the functions have a younger crowd involved and he feels very conflicted because of the bar situation. He stated that he has done some research and understands the 200 foot rule, which states that a place that serves alcoholic drinks must be 200 feet from churches and schools.

Susan stated that she has spoken with New York State while trying to obtain the liquor license. She states that the 200 foot rule applies to main entrance of one site, to the main entrance of the other site.

David Cresbo stated that the church has three entrances in which they utilize, and two of them are less than the 200 foot rule.

After some back and forth discussion between David and Susan in regards to the 200 foot rule. Conrad stopped the discussion. He explained that the Planning Board has no power in regards to the liquor license and it would be up to New York State to either grant or deny their application. Conrad asked Susan and Thyago if the liquor license does not go through with New York State, would that be a deal breaker for the restaurant entirely. They both stated, possibly.

Richard Olsen asked how the septic issue was going. Dave Strabel that the septic is going to need to be extended to the South side of the property. They are waiting to hear from the engineer for the plans and the extent of the septic project.

Conrad asked JP about other concerns. JP stated that site plan has been revised for the items he mentioned at last meeting on October 15<sup>th</sup>. JP asked about the location of the grease trap. Dave stated it would be placed in the basement.

JP asked about the dumpster. Dave stated that at this time Susan and Thyago are unsure if they would need 3 totes or a dumpster yet.

John made a motion to close the public hearing.

Conrad seconded.

Unanimously carried.

Conrad opened the meeting back up to the board members for any more questions they had in regards to this application.

Conrad asked about the two framed out buildings on the property.

Dave stated that the smaller one would be able to hold the three totes. Or that would be the placement of the dumpster if needed and it would be enclosed.

As for the bigger outbuilding. Susan stated that she is unsure of what they would utilize that for as they are focusing on the restaurant itself right now.

Dave Virgilio asked about signage on the south side of the property, so that people know where to exit the parking lot. A sign that states "Not an exit"

Susan stated that she loved that idea and would take that to the Zoning Board if necessary.

Conrad asked board members if they felt this could be approved yet or are there too many questions still. The septic is the main concern holding approval.

Conrad stated that they will adjourn this application until the septic is approved.

### **PUBLIC HEARING**

**Applicant/Property Owner:** Robert Cintron, Cintron Subdivision

**Property Address:** Sweden Walker Road, 1925' North of Ridge Road West

**Tax ID:** 055.03-1-13.12

**Acres:** 111.92 Acres

Seeking major subdivision and site plan approval for six lot subdivision with 4 new building lots, one lot not to be developed, and a remaining lands parcel. The new building lots will be serviced by private septic systems, private wells, and electric service from the roadside.

Dave Matt from Schultz Associates is in to represent for the Cintron Subdivision. He gave a brief overview of the subdivision and site plans, with a map for public to see.

Harry Walton asked to see where the lots were in proportion to his land. Matt answered his question by showing him the maps. He had no further questions.

John made a motion to close the Public Hearing.

Dave seconded.

Unanimously carried.

Conrad asked JP about engineering comments. JP went through his letter and everything had been addressed.

Richard stated since there are more than 3 properties on this subdivision a letter from the Homeowners Association would be needed.

JP stated that was listed in his letter, that a no action letter and agreement from the Homeowners Association would be needed.

Conrad made a motion to approve the SEQR as an unlisted action with a negative declaration.

John seconded.

Unanimously carried.

Dave made a motion to approve the Cintron Subdivision and site plan contingent on JP Schepp's engineering letter comments.

Bill seconded.

Unanimously carried.

**NEW BUSINESS**

**Applicant/Property Owner:** Helen Jean Hwiecko

**Property Address:** 2580 Sweden Walker Road

**Tax ID:** 41.01-001-029

**Acres:** 16.461

Seeking minor subdivision approval, proposing to separate 16.5 acres from the farm. The intentions are to sell the proposed lot to a nephew in order to keep part of the property in the family. The remaining land is under contract to sell to a farmer.

Rich Maier was here to represent. He handed out new site maps and explained the subdivision. Conrad explained that nothing else is further needed for this simple subdivision.

Conrad made a motion for an unlisted action with a negative declaration.

Dave seconded.

Unanimously carried.

John made a motion to approve minor subdivision.

Conrad seconded.

Unanimously carried.

**OLD BUSINESS:**

**Applicant/Property Owner:** Wellington North Senior Residence

**Property Address:** West Avenue, Town of Clarkson NY

**Tax ID#:** Portion of 68.02-1-3

**Acres:** 5.011

Preliminary approval was granted and as requested by the Planning Board is Submittal of final site plan approval for Wellington North (Senior Residential Facility), final subdivision approval, and confirmation of the Special Use Permit was granted.

Joe Ardieta here to represent Wellington North for final site plan, subdivision, and special use permit. Joe showed the final maps for Wellington North and explained the renovations of the existing building as well as the new building.

John made a motion to approve the final Site plan, subdivision, and special use permit.

Dave seconded.

Unanimously carried.

**OLD BUSINESS:**

**Applicant:** Borrego Solar Systems, Inc.

**Property Owner:** Michael K. & Sherri L. Foley

**Property Address:** 2668 Redman Road

**Tax ID:** 28.03-1-21 & 28.04-1-18

**Acres:** 58.5 AC & 25.3 AC

To develop a large scale solar array to be constructed on a portion of two existing tax parcels (tax ID #s 28.03-1-21 & 28.04-1-18) will be combined to encompass 83.8 acres. Portions of which will be leased from the current land owner.

Emilie Flanagan from Borrego came in to briefly speak about the progress of the project. Dick and Emilie had a discussion in regards to the budget for Borrego.

**MINUTES**

John made a motion to approve minutes for October 15, 2019.

Seconded by Bill.

Unanimously approved.

**ADJOURNMENT**

C. Ziarniak made a motion to adjourn at 8:30 PM.

Seconded by John.

Unanimously approved.

**NEXT MEETING**

The next regularly scheduled meeting of the Planning Board will be held on December 3, 2019 at 7:00 PM.

Respectfully submitted,

Anna Beardslee

Building Department Clerk

*Minutes approved on 12/3/2019*