

TOWN OF CLARKSON PLANNING BOARD MEETING MINUTES
Held at Clarkson Town Hall and via Zoom Meeting
Tuesday, July 21, 2020 at 6:00 PM

Board Members

John Jackson, Chairperson
Dave Virgilio
Harold Mundy
Daryl Fleischer *
John Culhane

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:

J. Jackson called the meeting to order at 6:00 PM and led everyone in the Pledge of Allegiance. J. Jackson read aloud the agenda for the night.

PUBLIC HEARING 6:00 PM – 6:20 PM

Applicant: John B. Martin & Sons, Inc.

Property Owner: Peter Martin

Property Address: 4107, 4085, 4042 Redman Road

Tax ID: 53.03-001-007, 53.03-001-009, and 68.01-001-005.2

Applicant requesting a resubdivision for a change of lot lines for residential structures.

Rich Maier present for meeting, to represent for Peter Martin. R. Maier, explained the reason behind the resubdivision, which is to separate the houses from the farm.

H. Mundy asked about existing lot lines. One house is very close to Redman Road.

R. Maier stated that lot line was already existing, so it is not being changed. R. Maier went over the map with H. Mundy for clarification.

J. Jackson asked if anyone was present from the public that would like to speak.

Dave Martin, President of the Farm, stated that they had gone back and forth with the lot lines, and he is in agreement with the map that was presented tonight.

J. Jackson, asked if anyone else would like a chance to speak. No one else made a comment.

D. Virgilio made a motion to close the Public Hearing.

J. Jackson seconded.

John asked J. Schepp if anything needed to be addressed. J. Schepp stated that he wanted clarity on the remaining lands, which he has shown in the new map, so there are no concerns.

J. Jackson made a motion to make an unlisted action with a negative declaration.

J. Jackson, asked all in favor.

Unanimously carried.

J. Jackson then asked if the board members had any concerns.

H. Mundy stated that he had concerns about setbacks on one of the parcels of land. He showed the point on the map where it looks like it reflected 41 feet, and that it seemed they would need to get a variance.

R. Olsen asked Dave Martin, how old the house was that was built there.
D. Martin stated the house was built by his Grandfather, 54 years ago.
R. Olsen stated that the house was pre-existing before the variance was in the code. So nothing further needed to be done.
D. Virgilio made a motion to accept the application for John B. Martin Farms, as written.
J. Culhane seconded.
Unanimously carried.

NEW BUSINESS:

Applicant: David Dnistran
Property Owner: David Dnistran
Property Address: Drake Road
Tax ID: 39.04-001-013.131
Acres: 75 + acres

Separating a 10 acre parcel from the total holdings.

R. Maier also representing David Dnistran. He explained the area in which the property is on Drake Road. He explained that the property is very close by Moorman Creek. He said that at one time the whole property area was owned by his parents which was about 80 acres of land. And they had slowly sold some of the property. R. Maier explained that the family does not live in the state anymore and so they are shopping around to have someone buy all of the land or some of it. R. Maier stated currently, D. Dnistran has a contract to sell 10 acres which is on the Northwest corner of the property. So they are trying to separate the land from the rest. R. Maier feels he will probably be back in regards to this property area because he will probably sell more.

J. Jackson made a motion to place the application back on the agenda for a Public Hearing on August 4, 2020.
D. Virgilio seconded.
Unanimously carried.

NEW BUSINESS:

Applicant: Michael Oakes/Oakes Tree Service
Property Owner: Michael Oakes
Property Address: 8089 Ridge Road West
Tax ID: 054.04-1-45.11
Acres: 1.6

Applicant is requesting a special permit to use the building for a tree service.

J. Jackson asked Michael Oakes to give a brief summary of what they are requesting.
M. Oakes stated that they own Oakes Tree Service and have been working out of Brockport for 13 years and they have been expanding through the years. They recently just bought the building and property at 8089 Ridge Road West, and would like to utilize the building to expand their office, as well as store equipment used for their tree service company. So they are in the process of fixing it up. They brought in a map that showed some detail of what they would like to do.

H. Mundy asked how many trucks the company has.

M. Oakes stated that they have 10-12 pieces of equipment. He'd like to have some equipment in the barn that is behind the office building, once it is fixed up. He would also have trucks parked in the back of the building as well. They are planning on putting up a 6 foot fence, to keep the trucks protected, and keep out of sight.

J. Schepp asked about the hours of operation.

M. Oakes stated that they are open 7:00 AM – 5:00 PM.

J. Schepp also asked if they'd be selling anything.

M. Oakes stated no.

J. Schepp asked no big storage?

M. Oakes stated no.

H. Mundy asked if they use diesel or gasoline trucks.

M. Oakes stated that they use both, it is a probably a mixture of half and half.

D. Virgilio asked about employees.

M. Oakes stated that they have about 14 employees.

J. Schepp asked if there would be anything else stored besides equipment.

M. Oakes stated maybe woodchips.

J. Jackson stated no sales right now, right?

M. Oakes stated maybe down the road.

J. Jackson stated that they would have to come back into the Planning Board to get a Special Use Permit if they would be selling anything. He also went through the five items that are looked at by the board when requesting a special use permit.

J. Schepp asked that they "dress up" their map to show where employee parking, truck parking, storage areas, and equipment areas would be on the map so that if Public come in for the Public Hearing they are able to see clearly where all of that would be located, if the board passes the application.

J. Jackson made a motion to place the application for Oakes Tree Service on for a Public Hearing on Tuesday, August 4, 2020.

D. Virgilio seconded.

Unanimously carried.

PUBLIC HEARING:

Applicant: John Dewey

Property Owner: John Dewey

Property Address: 2769 Lake Road

Tax ID: 40.01-001-015

Acres: 1.6

Separating house from the rest of the property.

John read the legal notice for the John Dewey Public Hearing.

R. Maier here to represent for this application as well. He gave a brief summary of the property area explaining that the applicant is requesting to separate the house from the property.

J. Jackson opened up the Public Hearing to anyone that would like to speak. No one present at the meeting. But J. Jackson stated that some questions had been sent in by a Clarkson resident.

J. Jackson read the question, received by Leanna Hale who lives at 2724 Lake Road, Hilton, 14468. She wanted to know "What the Property was being sold for"

J. Dewey was present at the meeting, he is her son and the Power of Attorney, and he stated that the house and property are his Mother's. His Mother is 91 years old, she just had a surgery, and she is unable to get up and down her stairs anymore. They are planning on moving to Tennessee to retire, and would like to sell the house and the property.

J. Jackson stated that Leanna had a few more questions that she wanted to know. In the document, she wondered if it was being sold for a housing track to go in.

R. Maier stated that they are just selling the house and the property and there is no plans currently for that.

Leanna also had another question if there was sewage on the property.

R. Maier stated that it is septic there.

J. Jackson made a motion to close the Public Hearing.

D. Virgilio seconded.

Unanimously carried.

J. Jackson asked if there were any other questions from board members, or if anyone had any concerns. No one answered.

D. Virgilio made a motion to approve the John Dewey subdivision to separate the house from the rest of the property.

H. Mundy 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

1. Verify that there are two separate projects, 1.5 MW and 5.0 MW. This adds to 6.5MW which is what was approved.

2. Verify that the maximum panel height of 12' feet is acceptable, which is in our town code. The drawings showed 8'6" panel height.

J. Jackson stated that R. Olsen had a few concerns come up in regards to the Borrego Solar Project that needed to be re-addressed with the Planning Board. The first concern was that a new motion would need to be made to verify that there are two different projects within Borrego. The second concern was that originally information was provided to us that the solar panels would have a panel height of 8'6'. However, the panels will actually reach a 12' panel height. 12' is the maximum panel height required in the Town Code, so a new motion would need to be made as well to reflect the correct height.

Board members had a discussion in regards to both of the concerns.

D. Virgilio made a motion to amend the previous motion made on December 17, 2019, approving the maximum panel height of 12' and also approving the Borrego Solar Project, for two separate lot projects, with one lot having 1.5 MW and the other lot will allow for 5.0 MW, with a total of 6.5 MW for both.

J. Jackson seconded.

Unanimously carried.

OLD BUSINESS:

Applicant: Clarkson Renewables, LLC

Property Owner: Richard L. Booth Jr.

Property Address: Lake Road, Brockport NY 14420

Tax ID: 053.04-1-6

Acres: 87.4

Townboard approved the overlay district. Public hearing to be scheduled for Approval for Site Plan review and Special Use Permits from the Planning Board in regards to installing 5.0 Megawatts (AC) of solar energy. The Solar installation will be placed on approximately 34.0 acres of land on parcel 053.04-1-6 (87.4 acres) in the Town of Clarkson, NY.

J. Jackson explained that Clarkson Renewables was back for the Planning Board Meeting, because it was asked of them to give more information in regards to the project before the Planning Board could give a final decision.

Mike Cucchiara, was present for the meeting and stated that new documents had been provided as requested.

J. Jackson asked M. Cucchiara if concerns had been addressed to Clyde Morgan, who is a bordering neighbor of the project, and had sent an email.

M. Cucchiara stated that he and Clyde have spoken in regards to his concerns and they will be working with him closely. Clyde did request to have a fence put up on his property to help with screening.

M. Cucchiara explained the changes that had been made that were concerns of neighbors and of the board members. He stated that the gate had been moved closer to the entrance of the access way. The gate is now 100 feet off of the pavement to Lake Road.

H. Mundy asked about having a paved access road, which is one of the concerns that Clyde had made in his email.

M. Cucchiara stated that the road is supposed to be pervious, to prevent flooding. Which was a concern of another neighbor. They did even included a swale to prevent flooding from occurring as well.

M. Cucchiara spoke about concerns that Clyde also had in regards to dust management. He stated that during the construction process, dust management is included in the erosion and stormwater requirement, and that has been provided. He stated also, that after the construction has been completed he does not foresee dust being an issue.

M. Cucchiara asked the board, if they could keep the access road a gravel road as they had been planning.

H. Mundy asked if the road would be pressure run or compressed gravel.

C. Knox explained that the design of gravel that they are proposing is a gravel that does not have fines. So it will not create a lot of dust.

K. Moore asked about the maintenance plan including snow removal and mowing.

M. Cucchiara stated that the maintenance plan had been updated and resent which includes all of the details. The mowing will be the lease area and the access road up to Lake Road and will be adjusted as necessary to ensure no overgrowth. M. Cucchiara stated that they don't remove snow in the lease area, but the access road will be required to have snow removal to allow site access during the winter months. A detailed version of the maintenance plan can be found in the Operations and Management Report provided on 7/21/2020.

J. Jackson added that they would like to make sure that the fences are maintained as well.

M. Cucchiara stated okay.

H. Mundy asked about what type of vegetation would be planted under the solar arrays.

M. Cucchiara stated that it would be low mow grass.

C. Knox added that they will be doing a supplemental mix which is a blend of pollinator and flower mix.

J. Jackson asked J. Schepp if there were any more engineering concerns.

J. Schepp stated, no engineering concerns.

J. Jackson asked R. Olsen if he had any concerns.

R. Olsen stated that the stipulation of no batteries, should be included in conditions.

J. Jackson made a motion that SEQR is a type I action, and that the Town Board is the Lead Agency, and the Town Board issued a negative declaration.

D. Virgilio seconded.

Unanimously carried.

J. Jackson made a motion to approve the special use permit for Town Code 140-38F, as this project does meet the criteria.

Dave seconded.

Unanimously carried.

J. Jackson made a motion to approve the Site Plan for Clarkson Renewables under the following conditions:

1) The project will need to be completed within the Building Department's Codes, which includes construction time will be allowed, Monday through Friday, from 7:00 AM – 7:00 PM.

2) DOT entrance approval and Army Corp Permit will be required.

3) No storage batteries to be used without the approval of the Planning Board.

4) Fencing on both North and South sides of the access road.

D. Virgilio seconded.

Unanimously carried.

MINUTES:

J. Jackson made a motion to approve the July 7, 2020 minutes.

D. Virgilio seconded.

Unanimously carried.

ADJOURNMENT:

The meeting adjourned at 7:00 PM.

NEXT MEETING:

The next scheduled meeting of the Planning Board will be held on Tuesday, August 4, 2020 at 6:00 PM, at the Clarkson Town hall and via Zoom videoconferencing.

H. Mundy will not be at the August 4, 2020 Meeting.

D. Virgilio will not be at the August 18, 2020 Meeting.

Respectfully submitted,

Anna Beardslee Building Department Clerk

Minutes approved on 8/4/2020.