

TOWN OF CLARKSON PLANNING BOARD MEETING MINUTES
Held at Clarkson Town Hall
Tuesday, November 16, 2021 at 7:00 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 Planning Board meeting to order at 7:00 PM and led everyone in the Pledge of Allegiance and read through the agenda for the night.

OPEN FORUM ITEMS:

Open Forum Item 1:

J. Jackson stated that Gavin Vogt was present for an open forum item and asked him to discuss what he came in for tonight.

G. Vogt stated that he owns Upstate Vintage Market which is located at 8100 West Ridge Road. He stated that he has rented out a section of his building to a business called Flower City Wraps. He then explained that K. Moore came in one day to let him know that he needed to get Planning Board approval for a business to be utilizing the rented space.

J. Jackson asked what the business is.

G. Vogt explained that the business is a custom shop to place vinyl wraps on vehicles.

J. Jackson asked about the hours of business.

G. Vogt stated that there are only two employees and they are there between 8:00 AM and 6:00 PM at night.

J. Jackson asked about parking.

G. Vogt stated that it is only the employees' vehicles and a vehicle that they are doing the wrap on.

J. Jackson asked about signage.

G. Vogt stated that it was a sign that was previously there and that they put in a new insert with their business information.

J. Jackson asked if any of the board members had any questions.

D. Virgilio asked what kind of waste there was.

G. Vogt stated that it is only vinyl skeletons.

J. Jackson asked if there is a dumpster on the property.

G. Vogt stated that there are currently no dumpsters on the property since his business and the business he is renting out, does not have enough waste to get a dumpster.

J. Jackson stated that if in the future a dumpster is needed, a fence would need to be placed around it, or the dumpster should not be visible to the road.

K. Moore stated that the business G. Vogt is renting to, is a business that is allowed by town code in that area, so there are no issues.

D. Virgilio made a motion to approve the business operation to be performed, inside on the 3,250 square foot, west portion of the building, with the condition, that if a dumpster is needed in the future, it is to be fenced in, or not visible to the road.

D. Fleischer seconded.

Unanimously carried.

Open Forum Item 2:

J. Jackson read aloud that another Open Forum Item was on for discussion in regards to Phil Ciufu. He asked if a summary could be given to the Planning Board for the item that they would like to discuss.

A.J. Barea was present at the meeting to represent Phil Ciufu. He stated that he is a Surveyor and was hired by Phil Ciufu. He explained that Phil Ciufu wanted to build a pole barn on his property at 3980 Lake Road. He stated that the location that he would like to build the pole barn required him to go in front of the Zoning Board for a variance. He then stated that when the Building Inspector reviewed his survey map he found that the house had been built on two separate lots. He further explained that the Zoning Board and Building Inspector asked that before anything moves forward for the pole barn, that the lots needed to be combined. He stated that the County had been called to see if a courtesy merge could be done on the property, but a subdivision had already been filed on this property so it could not be done. He then stated that is why he was hired, to have a new survey map done and he is requesting an approval from the Planning Board to combine the two lots.

The Board Members looked at the copy of the survey map that A. Barea had handed out.

H. Mundy asked about the back lot which shows that the pool was built on another property.

A. Barea stated that an agreement is in the deed that states if the pool is removed, a new pool would need to be located on the property of P. Ciufu.

D. Virgilio made a motion to approve the site plan review for the property address of 3980 Lake Road to combine the two lots into one.

D. Fleischer seconded.

Unanimously carried.

K. Moore stated that a map needs to be filed with the County showing the new lot lines.

A. Barea asked if the Zoning Board would be able to approve the variance for the pole barn.

K. Moore stated that he would make sure that the Zoning Board knows of the lot line approval from the Planning Board.

PUBLIC HEARING:

Applicant: Matt Peown

Property Owner: Jennifer Perry

Property Address: 72 Lawrence Road

Tax ID: 031.03-1-5

ACRES: 3.5

Zoning: RS-20

Owner is proposing a 14 Kw DC ground mounted solar array be installed behind their current residence. The array will include (40) s50 W solar modules with (2) SMA SunnyBoy Inverters located on the eastern interior wall of the garage. This array will be grid tied.

J. Jackson read the Legal Notice aloud and asked that Matt Peown give a brief summary of the proposal.

Matt Peown stated that he represents the property owners at 72 Lawrence Road. He explained that the owners would like to install a ground mounted solar array on their property. He then stated that at the last meeting the Planning Board suggested screening should be placed to help alleviate the visibility of the solar array to neighbors. He further stated that after discussing with his clients that they would prefer not to put up screening unless the Planning Board requires them to do so. M. Peown pointed out that the solar array would be 165 feet from the road, so it is not really visible unless you are right in front of the property.

H. Mundy asked how tall the solar panels would be.

M. Peown stated that they are about 8 feet tall.

J. Jackson opened up the Public Hearing to anyone who wished to speak in regards to this item.

Debbie and Doug Metzger are present and live at 79 Lawrence Road. Doug stated that he also wrote up a letter for the Planning Board to read in regards to his concerns. He stated that his concerns are about the water that collects in the location of where this solar array would be installed and wants to make sure it will not affect the drainage. D. Metzger then stated he is also concerned about the reflectiveness from the solar panels.

M. Peown stated that the reflective side will not be facing his property, it will be facing the south.

J. Jackson stated that the Planning Board suggested that screening should be placed to help with the reflectiveness of the solar panels.

Debbie Metzger stated that screening will not help with the water issue.

M. Peown stated that the solar array will be installed with ground screws and it will not affect the drainage.

Shawn Lessord stated that he works with the Solar Company and the solar panels are made with an anti-reflective glass and the reflectiveness will be not an issue. He also stated that the ground screws will not affect the drainage of water.

J. Jackson asked if there were any other comments to be made from the Public. No one responded.

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

D. Virgilio seconded.

Unanimously carried.

J. Jackson asked if J. Schepp had any Engineering concerns.

J. Schepp stated that screening should be placed. He then stated from an Engineering perspective in regards to the water issue, the ground screws will not affect the water.

J. Jackson asked if R. Olson had any concerns.

R. Olson stated that screening needed to be put in.

Debbie Metzger asked why the solar array couldn't be put back further on the property.

Jennifer Perry stated that the location of the solar array was chosen because the property further back goes up higher, and then the solar array would be up higher and more visible.

M. Peown stated that when they choose the location of the solar array, they also have to take into consideration the production rate.

Debbie asked if trees are put in for screening, would that affect the water.

J. Jackson stated it wouldn't as they are only asking for screening to help with the reflectiveness.

K. Moore stated that if screening is required, they would also need to ensure that elevation of the property does not change.

D. Metzger asked that if the screening doesn't work to alleviate the reflectiveness, does he have any recourse.

R. Olson stated, yes and no. He said that it would end up being a civil suit and it would be costly.

J. Jackson made a motion for SEQR that this is an unlisted action with a negative declaration and will not require further environmental review.

D. Fleischer seconded.

Unanimously carried.

D. Virgilio made a motion to approve the application for the solar array with the condition that a revised site plan is done to show the screening of trees and must be approved by the Town Engineer and Building Inspector.

J. Jackson seconded.

Unanimously carried.

OLD BUSINESS:

Applicant: Oak Orchard Health

Property Owner: Oak Orchard Health

Property Address: 300 West Avenue, Brockport

Tax ID: 068.02-1-44.2

Acres: 2.73

Zoning: Highway Commercial

Applicant requesting site plan approval and a special use permit, to add a new drive thru pharmacy window onto the existing building. This will require a new driveway and new curb cut along the existing private driveway; located west of the site which will reduce the current parking lot north of the building.

B. Steehler present to represent Oak Orchard Health. B. Steehler stated that he had a revised site plan done that includes pine trees for screening.

B. Steehler asked if there were any violations found for Oak Orchard Health.

K. Moore stated that there were violations on the lighted signage for the Buildings and roadside. He stated that the lighted signs should be shut off by 9:00 PM. He then mentioned that the sign at the Road is in discretion of Oak Orchard of when they can turn it off, and if there is a nuisance with neighbors. K. Moore stated that his suggestion would be that the approval be changed to state, all lighted signage be turned off by 9:00 PM.

Stacie from Oak Orchard Health was present and stated that someone will be out in the beginning of December to put a timer in for the signage at the road so that it will turn off at night.

J. Jackson asked R. Olson if he had any concerns. R. Olson stated that K. Moore looked into the violations and they are being taken care of.

H. Mundy asked where the screening would be.

B. Steehler showed H. Mundy on the map, and stated that it was the southwest corner, at the end of the pharmacy.

H. Mundy was concerned that the screening that was added would not completely take care of the issue for neighbors across the street.

K. Moore stated that the hours of operation for the Pharmacy would not be past 8:00 PM.

Stacie confirmed that the Pharmacy hours would be Monday – Thursday, until 8:00 PM and Friday’s would not be past 5:00 PM.

B. Steehler stated that he could put in more pine trees for additional screening.

D. Virgilio asked how many additional cars would be using the pharmacy drive thru.

B. Steehler stated that a traffic study was done and it showed that 8 additional vehicles would utilize the drive thru in an 8 hour time frame.

J. Jackson made a motion for SEQR that this was a type II action with a negative declaration and would not require any further environmental review.

D. Fleischer seconded.

Unanimously carried.

J. Jackson went over the 5 conditions that are needed for the Special Permit and determined that this addition would not change the value, create any safety hazards, it would not affect the traffic flow, and it would not alter the neighborhood.

J. Jackson made a motion to approve the Special Permit for the addition of the drive thru onto the existing building of Oak Orchard.

D. Fleischer seconded.

Unanimously carried.

J. Jackson made a motion to approve the Site Plan for the addition of the drive thru onto the existing building of Oak Orchard with the following conditions:

- A revised site plan be submitted showing the additional screening
- Pharmacy Drive Thru hours will be from 8:00 AM – 8:00 PM
- Wayfinding signs and the sign at the road will be shut off by 9:00 PM

D. Virgilio seconded.

Unanimously carried.

OLD BUSINESS:

Applicant: Clarkson Renewables 2

Property Owner: Kathryn Hoppe

Property Address: West Avenue

Tax ID: 067.02-1-1

ACRES: 63.65

Zoning: RS-20

Applicant is requesting to install a 4.7 MW AC Community Solar Ground Mounted Array that will utilize 21.4 acres of the 63.65 existing acreage.

Michael Cucchiara stated that he, Dave Byrne, Jim Palumbo, and Alan Greer are present for the meeting tonight. He stated that they are hoping to get approval tonight from Planning Board for the Solar Array.

J. Palumbo stated that new documents were submitted to reflect site access way, so that the property could still be utilized for farming. He also stated that new pictures were submitted to show the fencing that was chosen by the Planning Board. He further stated that renderings were done to show where the shrubs were being placed as well.

D. Virgilio asked about the access road for the farmer.

J. Palumbo stated that everything south of the utility pole was not changed.

J. Jackson asked if J. Schepp had any concerns.

J. Schepp stated that the Engineering concerns were addressed.

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

R. Olson stated that the Planning Board is unable to make any approvals tonight for this item, as he is still in the process of reviewing the agreement that was sent over. He stated that this item will need to be tabled until the next meeting for approval.

J. Jackson asked if K. Moore had any concerns.

K. Moore stated that if the project gets approval that they will need to contact the school districts within the project area, to ensure that construction does not interfere with school buses.

D. Virgilio asked when this project will begin. M. Cucchiara stated that if the project gets approval before the end of the year, they will begin in the spring time.

NEW BUSINESS:

Applicant: Le Property Maintenance & Landscape, LLC.

Property Owner: Lee Gill

Property Address: 7976 West Ridge Road

Zoning: Commercial

Applicant is requesting a special permit to operate a business to store bulk landscaping materials.

J. Jackson asked for the applicant to summarize what they would like to do.

Lee Gill stated that he was present to represent himself. He stated that he began renting space at 7976 West Ridge Road to operate his landscaping business and did not know he needed to get approval from Planning Board. He stated that Kevin had come into his business and asked him to fill out an application to request to operate his business from the property.

J. Jackson asked him to explain his business.

L. Gill stated that he does landscaping and mowing. He also stated that he would like to add a carport on the property.

J. Jackson asked that drawings be made up to show what the carport would look like.

L. Gill stated that he was just going to buy a carport.

H. Mundy stated that he could submit a manufacturer's picture of the carport he would like to have.

J. Schepp stated that the town should have a plan submitted explaining what the business is and then a map with measurements outlining where certain items will be kept on the property for his business, examples are: measurements and location of the carport, where salt is kept, where soil is kept, etc. He further stated that the property backs up to the park and screening may need to be put up as a courtesy, to be a good neighbor.

L. Gill stated that he is also still looking into purchasing the old Zerniak property to use for his business.

J. Jackson stated that he would table this for next meeting to get plans submitted.

NEW BUSINESS:

Applicant: Fabian Herrera

Property Owner: Welltower Pegasus

Property Address: 90 West Avenue

Tax ID: 068.02-1-15.11

Zoning: Commercial

Applicant requesting to build a 16x32' detached heated storage shed to provide additional storage for the facility.

J. Jackson read aloud the application information for 90 West Avenue and asked for the representative to give a brief summary of the proposal.

Fabian Herrera is present to represent for the Evergreen Place. He explained that Evergreen Place has run out of storage space and are proposing to build a 32x16 storage shed. He further stated that the shed will be located behind the building and on the same side as the driveway.

K. Moore stated that someone had called him and was asking about a dog park that was going into Evergreen Place.

F. Herrera stated that the dog park is a future project that will be proposed but has nothing to do with the shed project.

J. Jackson asked R. Olson if the shed needs to have a Public Hearing for it.

R. Olson stated, no.

D. Virgilio made a motion to approve the site plan review for the proposed 32x16 storage shed.

D. Fleischer seconded.

Unanimously carried.

K. Moore stated that a building permit application would need to be filled out to proceed.

MINUTES:

D. Fleischer made a motion to approve the minutes from October 19, 2021

J. Jackson seconded

Unanimously carried.

ADJOURNMENT:

J. Jackson made a motion to adjourn the meeting at 8:22 PM.

D. Fleischer seconded.

Unanimously carried.

NEXT MEETING:

The next scheduled meeting of the Planning Board will be on Tuesday, December 7, 2021 at 7:00 PM, at the Town Hall.

Respectfully submitted,

Anna Beardslee Building Department Clerk

Minutes approved on 12/7/2021