

TOWN OF CLARKSON
PUBLIC HEARING ON WHITEHALL MANSION
OCTOBER 11, 2023

The Town Board of the Town of Clarkson held a Public Hearing on Tuesday, October 11, 2023 at Stanley Pogroszewski Justice Court, 3655 Lake Road, Clarkson, NY at 6:00 P.M.

PRESENT:

Ursula Liotta	Supervisor
Nick D'Amuro	Councilperson
John Culhane	Councilperson
Tom Guarino	Councilperson
Sharon Mattison	Councilperson
Susan Henshaw	Town Clerk
Robert Viscardi	Highway Superintendent
Richard Olson	Town Deputy Attorney
Kevin Moore	Building Inspector

Supervisor Liotta opened the meeting. She led everyone in the Pledge of Allegiance. A moment of silence was observed for our service men and women, first responders and veterans, particularly those who have paid the ultimate price. Along with thanks to healthcare workers who tirelessly work to save lives every day.

Supervisor Liotta advised the Public Hearing is to discuss incentive zoning for Whitehall Mansion located at 3845 Lake Road. Jerry Goldman, attorney from Woods, Oviatt and Gilman, is here representing the sellers of Whitehall Mansion, LLC. The purchasers, the Wood and Payne families, are currently under purchase contract. Their intent is to make the mansion a community showcase. One of the owners intends to live in the house in the residential quarters. Both floors would be available for community events, such as weddings, showers, meetings etc. There are plans for a 4500 sq. foot event center addition to the rear of the property. The mansion is currently zoned residential. They intend to have the public involved with access to the property, which requires incentive zoning. The incentive zoning law allows the town to grant incentives for uses which are being proposed, in an exchange for use of the amenities offered by the applicant. Such amenities of the event space include meetings by town officials, historian, Christmas and Easter events hosted by the owners, family movie nights and even the solar eclipse event. They plan to extend the current sewer main on the west side of Lake Road, which will assist the neighboring property owners. The Olmstead Garden on the property will once again be tended too. The incentive zoning process is an exchange of incentives and amenities. This will allow them to do events on the site with the extension of the parking lot in the rear. The property itself is set-back off the road with the 10.7 acres being located mostly to the rear of the property. The area they wish to utilize is just over two acres. They will ensure the infrastructure is sufficient for the needs of the addition. A letter of intent has been provided to the town and has now been referred to the Planning Board, and a positive recommendation has been given for this proposal. It was also sent on to the Monroe County Planning Department, per state law, along with other county and state agencies. Currently there is nothing concerning from information provided, that needs to be addressed. An Environmental Assessment form has been sent to the Town Board for approval to see if there are any potential concerns or adverse effects expected or seen.

Councilperson Guarino advised he has been present at meetings where the Wood and Payne families presented information regarding their proposed site plans, and he asked Russell Wood to share some information.

Russell Wood advised that his aunt Cindy Payne resides in Chicago where she has a similar venue made from an old farmhouse and has kept it within the historic aspects of the area. He and his brother Arthur and residents from Greece, NY and are familiar with the landscape on the westside of town. Councilperson D'Amuro discussed that the Whitehall Mansion is listed on the federal registry, which once the town is noted as a Certified Local Government, then the mansion will be noted locally as well. Once listed, these homes will be ensured to stay historic in keeping with the area. The local municipalities must then

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continue to maintain and help control the exterior of the homes and preserve the historic nature of these properties. Councilperson Culhane inquired about the capacity and the parking lot size. Russell Wood advised capacity of the mansion itself would be 75-100, the addition is for approximately 200 and the Carriage House in the rear of the property would be for 50. They have no intentions of renting all spaces at once, rather one at a time. They plan to build a berm or retaining wall on the southside of the property to help shield the view, along with supplying soft lighting around the mansion, to code.

Supervisor Liotta inquired what the time frame expected for the project. Mr. Wood advised once they speak to the Planning Board regarding sanitation concerns, they plan to be ready for Spring 2024 for mansion events. They plan to have use of the front lawn while they break ground for the addition behind the mansion, in late Spring 2024. After that, they anticipate an eight-month build. The health department will help oversee the sanitation of the property.

OPEN FORUM

Sharon Burch, 38 Lynnwood Drive - how many accommodations on the second floor?

Russell Wood – we have five rooms available. It would be for the wedding party or out of town guests. Not interested in AIRBNB or VRBO.

Kyle Boyst, 2 Lynnwood Drive – why are you looking for incentive zoning and not rezoning for entertainment and restaurants R5, like it is around the county and Orleans County as well?

Jerry Goldman – we have a mixed-use type of project as there is a residential component. If rezoned to commercial, that does not allow for residential. If you have a mix of uses it is appropriate. Incentive zoning process replicates a formal rezoning process. Underlying zoning will remain a single family on this residence. This is a type of planning tool which allows that type of mixed use without creating a “patchwork quilt” on the zoning map.

Donna Kennedy, 3832 Lake Road- why is it considered mixed use?

J. Goldman – Arthur plans to be living on the upper level.

Councilperson Culhane – will you be doing catering?

R. Wood – No! There will not be food serviced nor will we have an alcohol license. Vendors will be coming in with their licenses.

D. Kennedy – what is the recourse for being against this project? Is this a done deal? What is the process?

Town Deputy Attorney Richard Olson – if this board approves incentive zoning, you have time to make an application to the state supreme court for review, to try and over-turn. You will need an attorney and it is not inexpensive, rather it is a process.

D. Kennedy – when is the decision going to be made by the town?

Richard Olson – Could be tonight. That will start the clock. The second part of this is the application for the site plan to the planning board. That’s where there is specifics to the lighting, the entrance and exit, drainage or anything that impacts the people in the area. If approved that is subject to the state supreme court, if you wish to make the application.

J. Goldman - it is not a done deal by any means. This is what this hearing is for, for the town board to hear the public. It’s not the first time they have been here. The process mandates an initial application to explain to the town board what this was and then it was referred to the planning board and then further sent back to the town board. Then a decision is made by the town board regarding incentive zoning.

Councilperson D’Amuro – we are here to represent you. Please say what you feel. Let your thoughts be heard.

Deborah Ingrassia, 40 Lynnwood Drive – this sounds wonderful, for the community, maintaining the historic part, lovely carrot, but we have walkers, children, pet walkers. It’s hard to get out of our driveways, parking lots. This will bring in a higher increase of alcohol, of those who will be driving drunk down route 19. How is this going to impact us, along with the increase in noise level. We live in a very nice, lovely area. How is this noise level going to be increased. How can we sit out here and enjoy our lovely silence.

Abby Boyst, 2 Lynnwood Drive – I would like to piggyback off that. I am concerned with the size. You mention 200 people and the noise of the private parties and the DJ. Are we expected to close our windows? My quiet neighborhood is why I chose to live here.

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Dian Bannister, 3840 Lake Road – your thing will be in my front yard. I'm concerned about the value of my home and others in the neighborhood.

Councilperson D'Amuro – unfortunately we don't have a looking glass into the housing market.

John Barr, 3845 Lake Road – This was a big decision after five years, 9,000 square feet as a single-family residence. Homes like this need to be maintained. So many have fallen into disrepair due to costs of maintenance. Other big homes around Monroe County have evolved into homes like this. Best option for a house with 9,000 square feet and 8 bedrooms is to find a way for it to support itself. With this kind of cash flow the house will be beautifully maintained. We have put over \$400,000 into repairs in five years. Taxes, housekeeping, utilities and all other maintenance exceeds \$100,000 annually. Hard to find someone who can do this on the west side, not in Clarkson. We decided to find a better use for this house. He doesn't want to see anything happen to it negatively either. He reminisced about driving by this home as a child. This sale will only increase values of the nearby homes. It will have a positive impact in Clarkson. He mentioned a story regarding a family celebration a few years ago. DJ's will not be in the front yard; they will be in the back. I support the historic preservation of this house. He discussed the Sagawa's owning the home and all the work needed at that time. These big houses go through a cycle. A single family might be able to afford to purchase the house but may struggle to maintain it. Russell plans to paint the home as it needs it. Ask them questions, they will tell you. They are sensitive to the neighborhood and the historic preservation of this home. That is important to us. I don't know that weddings will affect departing here as those will mostly happen on the weekend. Traffic on Lake Road during rush hour is another issue that has nothing to do with my home or their events. This is my opinion, and this is a great way to preserve this house. A home two doors down from the Millhouse, that is crumbling inside and is ready to be torn down. It will most likely be torn down due to cost of purchasing and renovating it. Garland church is at risk right now. We don't have control over it. The guy will either burn it down or raise it. When I was a member of the ARB we were trying to save it but the owner wasn't interested. The town should feel fortunate that these guys are willing to do the work to this house. As part of incentive zoning, you as a neighbor get something as well. He discussed the feedback he received from opening up the front yard and people being able to see the mansion. These guys are going to bring this house to a level that I would never be able to afford. This house will be able to generate some income to support itself. If I was forty, I would probably be doing the same thing. I think they are going to be good neighbors. We were good neighbors; they will be even better.

Cheryl Wood – I am their (Arthur and Russell) mother and Cindy's older sister. I understand completely and went through this with Cindy in Plainfield, Chicago. It is an extraordinary wedding venue that is nestled in houses, and you would never know it. There are developments all around them in Plainfield. She worked tirelessly with the community in Chicago, and determined the decibel level it should be inside of the wedding venue. These guys have no intentions to have weddings outside the venue. She made sure the music would not be scattered around the neighborhood, in Chicago. They have been in business in Plainfield for over five years and have had absolutely no problems within the community. That community too was horrified in the beginning, and people went to many public meetings to be heard. I understand what you are saying and how you feel. I can tell you that my family are very sensitive to your concerns and the historical nature of this property. Everything is important to her along with this house. I cannot reassure you any more than that. They have trees and berms all around the wedding venue in Chicago, and the decibels are kept at an agreed level.

Supervisor Liotta- we do have a noise ordinance that runs from 7a-10p and are very strict about keeping that.

R. Wood- we fully intend to follow the rule.

Councilperson Mattison – would anybody be able to provide photos of the venue in Chicago.

R. Wood – sure we can get some.

Councilperson D'Amuro – we've seen the photos, just not the public.

Councilperson Guarino – unfortunately we didn't have a tv here to broadcast, but what I saw before and after, was incredible. They utilized some of the wood from a local barn in the venue. My experience and from what I saw, it was important for me to have them explain that it is not their first crack at this. They have the experience.

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R. Wood – we fully intend to keep the historic feel of the property. We understand the pure beauty of the home and enhance it with flowers and revitalize the Olmstead Garden. We are conscious of the neighbors and will be working closely with the town. We will sit down and talk to the neighbors and get their feedback and find out what we can do to minimize the disturbance around the facility. Whether it's someone across the street and we need to add some pine trees for lighting to block the house, it is important to us.

Councilperson D'Amuro-In discussing the historic preservation of the home, I've been involved in this since I was fifteen years old. The discussion on these historic homes falling into disrepair is completely true. There are so many in the rust belt area as people don't have the money for the project. The town ARB turned into the Historic Commission. I have no concerns about this property and the owners will do a wonderful job.

K. Boyst – what are the hours of operation? Will people be leaving at 1:00 am?

R. Wood – whatever the town code is we will do. We are not asking for special permission.

Kevin Moore – that determination will be at the Planning Board level.

Councilperson D'Amuro – that's another benefit of incentive zoning.

K. Boyst – you mentioned events, will there be a fee?

R. Wood – amenities are free, Christmas, Easter, Halloween, free tours. We want people to enjoy and come in and see the beauty of this house. It's really stunning, just the pure history of it. It's amazing.

D. Kennedy – what is the driveway situation going to be? Will it accommodate 200 cars going in and out? Will it be widened?

R. Wood. We are widening it out and working with the state. It will meet all requirements for fire safety and whatever else is needed.

D. Kennedy – will there be a lot of trucks coming in for catering?

R. Wood – with the other venue, we find they are small box trucks that come in. They will be parked around back. It is one event per day. Meaning, we will not have all three sections of the venue running at the same time. One wedding at a time.

D. Kennedy – right now can I be assured there will not be an additional driveway on the property? That there won't be something in front of my house? No thought of an additional driveway?

R. Wood – No. You can see it on the board that we are using the existing driveway.

D. Kennedy – all this disruption with water lines, sewer lines all of this will be dug up. Construction vehicles and the traffic.

R. Wood – we have a company that would place lines underground. It would not be equipment on the side of the road. It's on private land.

D. Kennedy – the sewer line is in our front yard. Would you be tying into that one?

R. Wood – No. If everything works out with the engineering, we would like to stay on the west side and run from the north side, past the driveway on the south side. So, people south of the property could tie in with future expansion.

D. Bannister - there is a water line on the west side of the road, which is where I get my water from.

R. Wood – we won't disrupt the water main at all right now. There is a water main that runs down on the property that potentially we could use. We are working with engineering.

D. Bannister – would you tell me again where the parking will be, the additional parking.

R. Wood – he visibly shows the information on a large diagram and describes the location. We may need to build a berm or add pine trees and a garden. We intend to move previously planted pine trees and to place them so as not to block the view. We have no intention of taking out any other existing landscaping.

D. Kennedy – when you have these events, was there any thought to have someone directing traffic, similar to church?

R. Wood – that's is a fantastic idea. Something to work with the town board on. If there is a cost, we can work that out.

S. Burch – many of us on Lake Road and Lynnwood, we have trouble getting out due to traffic. Adding a wedding to that it will be a real big issue for all of us.

R. Wood – we found that a wedding venue slowly filters in and out. It is not hundreds of cars all at once. It is a handful of people that leave. Traffic filters out. Not to say it is not going to happen but typically it is not a mad rush all at once.

S. Burch – will guests know the noise ordinance?

R. Wood. We will be onsite for every venue. Either my bother or our wives will be there. You are welcome to come see it anytime. We are very aware of the neighbors and the noise

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levels. We do care. In Chicago, we had the neighbors come in and we played music at the decibel allowed. Then we went inside and did the same thing. We plan on doing all of that here too. We are hoping it is not obtrusive to any of the neighbors.

J. Goldman – the house itself is a sound buffer for any event.

R. Wood – it was important to us to have the venue in the back.

K. Boyst – this is directed to the town as well. Are their plans to improve the sidewalk, the overgrowth, the flooding? We are preserving one property, but what about Lynnwood Drive? The guardrails are needing paint, potholes, mix match, the sidewalk needs repair. It is below the runoff level. Is there room for improvement there?

Supervisor Liotta – Lake Road is a state road. I worked at highway for ten years and I know it's a difficult section of road.

Superintendent Viscardi – the town maintains the snowplowing of the sidewalks. We do not repair or replace.

Supervisor Liotta – that would be a phone call to NYS that we could make. The DOT manage the westside roads. That is our first line of defense. We never get a heads up on their plans. We can call them and advise there is a line of site issue on the road, they are generally responsive. Homeowners are welcome to call as well.

K. Boyst – the infrastructure of Lynnwood Drive is garbage. We have a watermain break weekly. Can our system support this?

Superintendent Viscardi – they tie into the same sewer across the street, which is a Monroe County truck line, a two-foot line. The west side we put in fifteen years ago, that the town hall and Lynnwood tie into. Not the one at the mansion.

K. Boyst – there is a telephone pole that is blocking the view of traffic.

Superintendent Viscardi – the snowplow must work around that too.

Supervisor Liotta – does the pole serve a purpose?

K. Boyst – yes, it is for powerlines.

Sean Grady, 3741 Lake Road – the incentive zoning is being offered to allow events and to give back to the town. Is any part of that in lieu of taxes for this building? Will the taxes go up on the property? As someone who has one of the larger homes in the town, and is fortunate to pay those taxes, I wouldn't want anybody getting a break.

Attorney Olson – No

S. Grady – where are the sewer lines now?

Superintendent Viscardi – two properties up from you 3779 Lake Road, Wanzer's house, it is just at the edge of the driveway.

James Breen, 3865 Lake Road – my only objectives is the traffic noise. The parking lot will be directly behind my house.

R. Wood – we were talking about that. We are working with engineering to build a larger berm for more pine trees, that faces your house, for traffic or headlights, so they won't go to your house. So, you wouldn't be seeing any of that. He walks over to the diagram to show visuals. All the foliage that is there, stays. We would build more pine trees as a block. We discussed pulling back the brush for better sight lines and put a manhole in that same place. The southside homes would eventually have access to that. We do not want car lights going to your house. We would like for you to come over with the engineers, and we can discuss anything that would disrupt you.

J. Breen – you are talking about making a berm, this is great for the summer. When that foliage is gone and in the winter months, what will you do.

R. Wood – we can put in some sort of a blind. Do sections of a fence, decorative so it looks nice on both sides. We are willing to work with you on that.

Supervisor Liotta – that again is part of the Planning Board process. All those details will get worked out at that time. This is not what this is about currently.

Linda Pickering, 3844 Lake Road - I live directly across the street from you. I have a kitchen window and I don't think there is anything you can do about that.

R. Wood – we are willing to talk to you about that. If we could come to an agreement to maybe put pine trees, there for you. Probably a little berm for you. We are willing to help accommodate all the neighbors.

L. Pickering – ok we can discuss that sometime.

D. Bannister – where is the sign going and how lit will it be.

R. Wood – I brought a draft of the logo sign of Whitehall Mansion. We want to keep it 1920's period with the artwork. Very simple. Small sign. 3 x 5 with metal posts. With a cross trellis with uplighting on both sides and maybe down lighting. It can be on a timer.

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Probably located where the for-sale sign currently is. We are not certain just yet. We will follow code.

Supervisor Liotta – the Zoning board works on those specifics. I'm sorry, the Planning Board will work on this. There are specifics of an appropriate sign.

Councilperson Culhane – (speaking to John Barr) Every time that I have heard you guys talk about this property, and that it will be for sale, it worried me. Who are we going to get? Most of the time you don't get to pick your neighbors or have a say in what they are going to do. Thank you, John, for caring about this property. I would guess not many have come to look at this property. I feel better each time I hear you guys speak. Somethings you can't control, and definitely if you sell to someone who is not going to care.

John Barr - if we stay, I'm planting the trees in. I want my privacy back. It is not a public thing. I don't want people driving down my driveway to say hello to me. As far as an asset to the town, these guys are going to do wonderful things. It's a good thing to preserve it that way. Give the people what they want. They want to see it; they want to go inside it.

Councilperson Culhane – watching what has happened to the Garland House, people are not beating down the doors to buy that property. I welcome you as neighbors. Of course, I do not live right by it.

D. Ingrassia – it sounds like the decision is already made. Which is bothersome. I want everyone here to understand, this will impact our neighborhood and not the way we want it to.

D. Kennedy – I second that.

A. Boyst – and I third.

D. Ingrassia – I love the idea. I love that you guys are looking at preserving the house, but I like my neighborhood.

A. Boyst – it's not that we don't want the home preserved, we beat that horse to death. I want to see it preserved too. I don't feel validated in my concerns in this room. For that I am devastated. I came to feel validated, and I don't feel validated in this room. I will hold you to your word that you are going to hear our concerns as neighbors. I believe the decision has been made before we stepped foot in this room. I really hope that you mean that, and you say you are going to include us and listen to us and think that is the only way we are going to keep any part of our neighborhood. I truly hope you mean it when you say it.

Supervisor Liotta – I am sorry you feel that way about us making a decision. Honestly when I first heard about the project, I was excited and thought, what about the neighbors. That was my second thought. The neighbors and Lynnwood Drive. You Dianne, I did. Change is hard. It is. But very seldom you get to pick your neighbors. Our very first house we spent twenty years renovating. It's hard. I did not like the person who bought the house. All cash deal. I cried when I left. You are heard, you are.

S. Burch – you are not taking too long to hear all the things we discussed.

Councilperson Culhane – we have heard four times on what their plans are. I don't know what has happened at any of the other meetings.

A. Boyst – we only just got a letter.

D. Ingrassia – what other meetings?

Councilperson Culhane – it's been on the agendas. It's been out there and don't know how long ago but it's been talked about.

D. Kennedy – we just got this letter in the mail.

Supervisor Liotta – yes, for this particular meeting. It has been on our agenda leading up to this point. There is nothing like this on this side of town.

K. Boyst – Medina, Albion, Holley, Churchville, Spencerport.

Supervisor Liotta – I don't go that far west. I guess. This is really unique and to call it our own. It is not clear cut, not to me anyway. I am letting you know we don't make these decisions amongst ourselves.

A. Boyst – we just want to feel validated in our concerns.

S. Burch – I don't have an issue with the venue itself, it is with the traffic.

J. Goldman – all that sits with the Planning Board.

Town Deputy Attorney Richard Olson – any concerns are Planning board concerns and are dealt with at the planning board level. This tonight is strictly for the incentive zoning. They do not walk out of here with a building permit. They walk out of here being able to go to the planning board and go through another public hearing or two and involve a site

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plan. It will address the parking, the lighting, the noise, hours of operation. It will be part of the Planning Board process.

K. Boyst – if town board approves incentive zoning, and this becomes a smoke screen, can the town rescind that zoning due to violations?

Richard Olson – yes.

Councilperson D’Amuro – they’re about to sift through all this at the planning board. This is just the first domino in the process.

Councilperson Culhane – I invite you to go to the Planning Board meetings. That’s where you will get those things resolved.

D. Ingrassia – will we be informed of when those meetings are?

Richard Olson – we tend to mail 500-foot legal notice letters to people within 500 feet.

Supervisor Liotta – before a public hearing is set, there are planning board meetings to discuss this. Planning board has to be in agreement.

Richard Olson - there will be meetings on the agenda, and you should check with the Town Clerk. Planning Board meetings are the first and third Tuesdays of every month at 7:00pm this time of year.

Supervisor Liotta – I don’t believe that the agendas are put on the website. We can do that. We can make sure that the support boards agendas are posted as well.

Councilperson D’Amuro – for a project like this, we can do a “notify text message” to sign up to. To let them know when the meeting is. I can make that happen. I’ll do it I just need phone numbers and emails. If you want to be notified, I want full transparency.

Councilperson Guarino – this was live-streamed on FB. You can go back to the Clarkson Town Board Facebook page, and the camera’s recording. You can review what went on. Our goal is that the meetings can be heard by residents that couldn’t make it as well.

Joan Klafehn, 3856 Lake Road – I would like to go on record that I am totally opposed to this project. As it will change our lives completely.

RESOLUTION #290**MOTION TO CLOSE THE PUBLIC HEARING ON WHITEHALL MANSION**

Introduced by Councilperson Guarino

Seconded by Councilperson Mattison

Motion to close the public hearing on Whitehall Mansion.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane, D’Amuro, Guarino and Mattison

NAYES: None

Richard Olson advised we are making a determination of an uncoordinated review. The Planning Board will have more information as all the engineering is not yet complete. He proceeded to read through the entire SEQRA.

RESOLUTION #291**MOTION FOR RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CLARKSON****STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”)****DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE****NEGATIVE DECLARATION**

Issued in accordance with Article 8 of the New York State Environmental Conservation Law

WHEREAS, Whitehall Mansion, LLC and its affiliate, Whitehall Event Center, LLC , (the “Applicant” or "project sponsor"), currently is the contract vendee of lands in the Town of Clarkson of approximately 10.7 acres in size (the “Property”), located at 3845 Lake Road; and

WHEREAS, the Property is currently used for residential use; and

WHEREAS, the Applicant has applied to the Town of Clarkson for Incentive Zoning approval, pursuant to Chapter 240, Article VIII of the Town of Clarkson Code, to allow the proposed development of a project known as Whitehall Event Center and residence to include the preservation of the existing structure and construction of a 4,500 +/- square foot event space and a to construct a 26’ x 35’ storage building; and

WHEREAS, the Applicant is required to obtain Town Planning Board site plan prior to commencing construction. Site plan approval will allow the Town to further control the

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development of the Site to assure that the scope of development is consistent with that analyzed by the Town Board in its review of the Full Environmental Assessment Form (FEAF). The Planning Board site plan approval considers, among other issues, parking spaces, ingress and egress to highways, sewer, water, drainage, lighting, signage, screening and landscaping; and

WHEREAS, the Project is classified as an Unlisted Action under SEQRA and this Board is making the determination herein solely with respect to the Incentive Zoning Application knowing that the Planning Board will make a separated determination (uncoordinated review); and,

WHEREAS, in accordance with 6 NYCRR § 617.3(g)(1), the Town Board finds that the separate reviews by the Town Board and Planning Board are clearly no less protective of the environment; and

WHEREAS, the Town Board has conducted a thorough and careful review of the proposed project and all application materials submitted by the project sponsor; including but not limited to the application for Incentive Zoning, the conceptual site plan for the project, the FEAF dated September 22, 2023, as well as other documents submitted by the project sponsor's attorney and engineer, and has also considered (1) public comments and (2) the Comprehensive Plan of the Town of Clarkson.

WHEREAS, this Board has taken a hard look at all issues based upon the criteria for determining environmental significance found in the SEQRA Regulations (6 NYCRR §617.7(c)), which may have a significant adverse environmental impact. This hard look resulted in Part II of the Environmental Assessment Form being completed by this Board on October 11, 2023.

NOW, THEREFORE, the Town Board makes the following findings on issues identified in the SEQRA regulations that may have environmental importance:

- 1- Impact on Land. The development, as currently proposed, does not result in any significant impacts on land as identified in Part 2 of the EAF.
- 2- Impact on Geological Features. There are no unique, or unusual land forms on the site.
- 3- Impact on Ground or surface water quality or quantity/drainage and Flooding. Drainage issues are necessarily part of, and evaluated in, all development projects. As part of the site plan review conducted by the Planning Board
- 4- Impact on Air quality. No extraordinary air emissions are expected as a result of this project. No state or federal permits are required for anticipated discharges. Therefore, no significant adverse environmental impact is contemplated.
- 5- Impact on Plants and Animals. There is no significant natural community, and has no species of plant or animal that is listed by New York State as rare, or a species of special concern. Therefore, no significant adverse environmental impact is contemplated.
- 6- Impact on Agricultural Resources. The land on which this project is proposed has not been used for agricultural in recent memory. The required Agricultural Data Statement was provided to agricultural operations in the area and there was no opposition to the project from the agricultural community.
- 7- Impact on Aesthetic Resources. The development, as currently proposed, does not result in any significant impacts on Aesthetic Resources as identified in Part 2 of the EAF.
- 8- Impact on Historic and Archeological Resources. The site neither contains nor is substantially contiguous to a registered National Natural Landmark. The site is listed on the National Register of Historic Places as the Gordon-Sagawa House. The proposed action will preserve the property. The Incentive Zoning is not intended to be a rezoning of the current zoning in the RS-10 district. The proposed action will impact less than 6.25 acres of the property. The total physical alteration will be less than 2.5 acres. Therefore, no significant adverse environmental impact is contemplated.
- 9- Impact on Open Space and Recreation. The proposed action does not result in the loss of recreational opportunities or a reduction in open space resource as designated in an adopted open space plan.
- 10- Impact on Critical Environmental Area (CEA). This site is not within a CEA as defined by the SEQRA regulations.
- 11- Impact on Transportation. It is not expected that traffic will be adversely impacted by this development. Lake Road is a New York State Highway. It is the expectation of the Town Board that the Planning Board will require additional

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information as part of its detailed site plan review of the project. Therefore, any mitigation would address any potential significant adverse environmental impact.

12- Impact on Energy. Energy will be provided through the local service provider. No capacity issues are anticipated. Therefore, no significant adverse environmental impact is contemplated.

13- Impact on Noise, Odor and Light. No extraordinary noise will be generated by the project. Noise levels above ambient noise levels may be expected during construction, but that is normal. All lighting on the property will be dark sky compliant. The Applicant has agreed to provide maintain suitable screening for the property on the east side of the project. This will eliminate any significant adverse environmental impact.

14- Impact on Human Health. While these standards are cited in the SEQRA regulations as potential indicators of environmental impact, there are no issues of environmental significance resulting from potential hazards to human health, adverse impact of the change of use and attraction of people to this site. Therefore, no significant adverse environmental impact is contemplated.

15- Solid waste production. There will be solid waste produced as a result of the project. This will be managed by commercial haulers. Therefore, no significant adverse environmental impact is contemplated.

16- Consistency with Community Plans and Character. This project is not in conflict with any adopted community plans of the Town. Therefore, no significant adverse environmental impact is contemplated.

17- Public water supply. Public water is available to the site through the Monroe County Water Authority. No capacity issues are anticipated. Therefore, no significant adverse environmental impact is contemplated.

WHEREFORE, after taking this hard look at potential significant adverse environmental issues and this reasoned elaboration as to why none have been identified, the Town Board of the Town of Clarkson, for this uncoordinated environmental review, hereby issues a Negative Declaration of environmental impact under SEQRA.

Motion to accept a Negative Declaration for SEQRA

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Guarino and Mattison

NAYES: None

Adopted the 11th day of October, 2023

RESOLUTION #292**MOTION TO GRANT THE APPLICATION FOR INCENTIVE ZONING FOR WHITEHALL MANSION PROPERTY**

WHEREAS, in a letter dated September 7, 2023, Woods Oviatt Gilman LLP, attorneys for Whitehall Mansion, LLC and Whitehall Event Venue, LLC and, requested that the Town Board consider an Incentive Zoning Request, relating to a project known as Whitehall Event Center and residence consisting of approximately 10.7 +/- acres located at 3845 Lake Road for the following:

1. To permit the use of the first floor of the Whitehall Mansion (library, living room, dining room and conservatory, with an anticipated maximum occupancy of 75-100 people) and the existing carriage house (with an anticipated maximum occupancy of 50 to 75 people) as space for events, including but not limited to: ceremonial events (such as wedding and wedding receptions, bridal showers), community events and meetings, as well as other social gatherings. The second floor of the Mansion may also be used for events, as well as suites to be used for overnight stays of event guests.
2. To permit construction of a structure (approximately 4500 square feet, with an anticipated maximum occupancy of 200 people) to be located west of the mansion to be used as a space for events as set forth in paragraph 1 above.
3. To allow relief from dimensional requirements of the Town Code (as determined by the site plan designed by the project civil engineer).
4. To erect a business sign approximately 3' x 5' with uplighting as close to the main road as possible.
5. To build walkways and three patios with four fire pits throughout and three pergolas, all of which will be located adjacent to and behind the new addition.
6. To construct a storage building approximately 26' x 35' in the southwest corner of the property, behind the tree line and out of sight line. And

10-11-2023

WHEREAS, the application was reviewed by this Board and, in accordance with Chapter 140 of the Clarkson Code, reviewed by the Planning Board; and

WHEREAS, upon posting and publishing the required legal notice, a Public Hearing was held on October 11, 2023 at the Clarkson Courthouse, 3645 Lake Road in the Town of Clarkson to consider the proposed Incentive Zoning. At said Public Hearing all who wished to speak were heard; and

WHEREAS, the Town Board, issued a Negative Declaration of Environmental Significance with respect to the incentive zoning portion of this application on October 11, 2023;

NOW, on motion duly made and seconded, it is **RESOLVED**, that the Town Board of the Town of Clarkson makes specific Findings in this matter as follows:

1. This application is a request for Incentive Zoning pursuant to Article VIII of Chapter 140 of the Clarkson Code. In general terms, the proposed Incentive Zoning would allow for the development of a 10.7 acre parcel with the requested incentives as follows:

A. To permit the use of the first floor of the Whitehall Mansion (library, living room, dining room and conservatory, with an anticipated maximum occupancy of 75-100 people) and the existing carriage house (with an anticipated maximum occupancy of 50 to 75 people) as space for events, including but not limited to: ceremonial events (such as wedding and wedding receptions, bridal showers), community events and meetings, as well as other social gatherings. The second floor of the Mansion may also be used for events, as well as suites to be used for overnight stays of event guests.

B. To permit construction of a structure (approximately 4500 square feet, with an anticipated maximum occupancy of 200 people) to be located west of the mansion to be used as a space for events as set forth in paragraph 1 above.

C. To allow relief from dimensional requirements of the Town Code (as determined by the site plan designed by the project civil engineer).

D. To erect a business sign approximately 3' x 5' with uplighting as close to the main road as possible.

E. To build walkways and three patios with four fire pits throughout and three pergolas, all of which will be located adjacent to and behind the new addition.

F. To construct a storage building approximately 26' x 35' in the southwest corner of the property, behind the tree line and out of sight line.

2. The amenities offered to the Town are as follows:

A. Use of the event space at the Whitehall Mansion, the carriage house, or the new event structure for community events including meetings for town officials and educational tours under the supervision of the Town Historian at no cost, limited to two per month, Monday - Wednesday. This amenity-in-kind is valued at \$360,000 over the course of the 25 years based on a two-hour rental fee of \$600. All events in this paragraph above must be reserved at least two weeks in advance of the event, subject to availability. One liaison would be assigned by the Town of Clarkson to coordinate the scheduling of all community events with Whitehall Mansion staff. If set up or maintenance costs are incurred by the owner, they shall be reimbursed by the Town. Amenities in this paragraph and the following paragraph shall expire 25 years after the issuance of the Certificate of Occupancy of the event structure.

B. Events, which may be sponsored by the owners of the property, for holidays (such as Halloween, Christmas and/or Easter), family movie nights and the solar eclipse viewing on 4/8/24. This amenity-in-kind is valued at \$500,000 over the course of the 25-year period based on four annual events with an average cost of \$5,000 per event for supplies, staffing, rental fee, etc.

C. Installation of a sewer main on the west side of Route 19 from 3779 Lake Road North southbound to the southern property line of 3845 Lake Road North. The project is subject to permit approvals from the State of New York and Town of Clarkson. This project will directly benefit two properties north of the site and allow other properties south of 3845 Lake Road North to extend or connect further south on Lake Road. The preliminary estimated cost of this project is \$70,000.

D. Clean up of the Olmstead garden on the property. This may be a project which may be undertaken in cooperation with a local Boy Scout troop (or individual Boy Scouts). Any work would be under the supervision of the applicant.

10-11-2023

3. This Board finds that the amenities offered will benefit the Town of Clarkson and preserve a unique parcel of land.

4. Based on the above, this Board finds that the proposed Incentive Zoning is a well-balanced exchange of incentives for amenities and will appropriately and reasonably benefit both the Town as well as the applicant; and be it further

RESOLVED, that the proposed Incentive Zoning relating to property known as “Whitehall Mansion” consisting of approximately 10.7 acres located at 3845 Lake Road, being tax parcel 054.17-2-1 as set forth on the legal description in Schedule A attached hereto, to allow for the incentives set forth above is hereby approved in accordance with the provisions of Article VIII of Chapter 140 “Incentive Zoning” of the Town of Clarkson Code; and be it further

RESOLVED, that the Incentive Zoning approval herein is subject to the following conditions:

1. That this Incentive Zoning approval shall terminate if application for site plan approval is not made to the Clarkson Planning Board on or before October 1, 2024;

2. That this incentive Zoning approval shall terminate if a building permit is not applied for within six (6) months of final site plan approval by the Clarkson Planning Board;

3. That this incentive Zoning approval shall terminate if the property is not used for the requested uses (other than the residential use) for a period of twenty-four consecutive months;

4. That on or before December 15, 2023 the applicant and the Town of Clarkson shall enter into a written agreement memorializing this approval which agreement shall be recorded in the Office of the Monroe County Clerk;

5. That site plan approval by the Town of Clarkson will be subject to the provisions of Chapter 116 of the Clarkson Code;

6. That the Planning Board will determine the specifics of the sign during the site plan approval process.

7. That as part of the project the applicant shall Petition the Town Board for creation of a Sanitary Sewer District to be constructed prior to a Certificate of Occupancy being issued for the project.

And be it further resolved,

That this Resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane, D’Amuro, Guarino and Mattison

NAYES: None

EXHIBIT A

ALL THAT TRACT OR PARCEL OF LAND, situate in Town of Clarkson, County of Monroe and State of New York, being part of Lot Number Twelve in the Fifth Section of Town Number Four of the Triangular Tract and being Parcel B and Parcel C as shown on a Map of Survey prepared by Smith & Fitzpatrick, Surveyors, dated January 22, 1952, attached to a Deed from Florence Robinson Gordon to Harris Wilcox, recorded in the Monroe County Clerk's Office on February 15, 1952, in Liber 2736 of Deeds at Page 177.

Said Parcels B and C front on the west side of Lake Road 480 feet, extend westerly on the north line 744.50 feet, extend southerly on the west line 838.90 feet, and extend easterly on the south line 826.84 feet to the west line of Lake Road, including all the right, title and interest which the grantors have or may have to the center line of Lake Road.

Property Address: 3845 Lake Road, Clarkson

Tax Account Number: 054.17-2-1

10-11-2023

RESOLUTION #293
MOTION TO ADJOURN

Introduced by Councilperson Guarino

Seconded by Councilperson Mattison

Motion to adjourn at 7:39 PM.

VOTE OF THE BOARD

AYES: Supervisor Liotta, Councilpersons Culhane, D'Amuro, Guarino and Mattison

NAYES: None

Respectfully submitted,

Susan Henshaw

Town Clerk

Approved 10-24-2023