

**TOWN OF CLARKSON PLANNING BOARD MEETING MINUTES**  
**Held at Clarkson Town Hall**  
**Tuesday, December 5th, 2023, at 7:00 PM**

**Board Members**

John Jackson, Chairperson\*  
Dave Virgilio  
Daryl Fleischer  
Patrick Didas  
Paul Egan

**Support Board Members**

Keith O'Toole, Town Attorney  
J.P. Schepp, Town Engineer  
Kevin Moore, Bldg. Inspector  
Andrea Rookey, Bldg. Dept. Clerk \*

\* Excused

**CALL TO ORDER:**

P. Didas called the Planning Board meeting to order at 7:00PM and led everyone in the Pledge of Allegiance and read through the agenda for the night.

**PUBLIC HEARING:**

**Applicant:** Ian Moriarty

**Property Owner:** Paul Moriarty

**Property Address:** Craig Hill Drive

**Tax ID:** 055.02-1-4.1 & 041.04-1-3.111

**Acres:** 235.53

**Applicant requesting a subdivision and a 4.31-acre, one lot site plan approval for a single-family home.**

P. Didas mentioned that the open item is the dedication for the road but there has been some recent information because of the email exchange that happened today. Things are not resolved but he understands there is a proposal to provide conditional approval to allow the sale of the Moriarty development to go through. P. Didas asked if P. Labor could speak to applicants' proposal.

P. Labor said that he does not have the information on what is being proposed.

P. Didas asked if he had made any progress to report on the legal proceedings.

P. Labor said he thinks its back in the Dan Shum's court.

P. Didas asked what the board think what would remain of the risk, ideally, it would all be done in advance, it would allow the sale to proceed and some earth work to be done but they could not dig for a foundation and asked K. Moore if that was correct.

K. Moore said that is correct.

P. Didas asked if K. Moore was okay being the put in the role of not issuing permits until this was seen through to completion.

K. Moore said yes.

P. Didas asked if there were any other thoughts from the board.

D. Virgilio said that in the meantime the Town has been taking care of the road.

K. O' Toole said that is correct, his understanding is that there is a resolution accepting dedication and dedication occurs in different ways in different towns but under our Town Code ultimately the expectation is that they will hand us a deed which gets recorded in the County

Clerks Office to finish the process of the dedication. For whatever reason that follows never happened in 1987. The law states that the burden is on the property owner to do this.

K. O'Toole said that if they don't own it then they can't convey it and we may have to look for an alternative solution.

P. Didas said that it sounds like the board's approval could create a self-created hardship or a hardship for the applicant if the title issue cannot be resolved.

K. O'Toole said that it is his understanding that if you read the attorney wants this and he saw some emails where the property owner was asking for this.

D. Fleischer said that it seems to him that it will all be worked out within a few months between the layers and deeds and said that he does not have any issues with approving this with conditions that they will not be pulling any building permits.

P. Egan said that he agrees with D. Fleischer because they are taking risks and ultimately, they cannot build on that lot until these conditions are satisfied.

There was no public present.

D. Fleischer motioned to close the Public Hearing.

D. Virgilio seconded the motion.

Unanimously carried.

D. Fleischer motioned that this is an unlisted action with a negative declaration.

D. Virgilio seconded the motion.

Unanimously carried.

D. Fleischer motioned to grant site plan approval to the Moriarty property contingent on the following dependent on the roadway dedication being resolved;

1. No building permits issued
2. No Foundations to be excavated or constructed
3. No construction shall be performed except for clearing of land, and preliminary site

grading.

P. Egan seconded the motion

Unanimously carried.

**PUBLIC HEARING:**

**Applicant:** ST2C.LLC

**Property Owner:** ST2C.LLC

**Tax ID:**041.040-0001-03.111 & 055.020-0001-04.1

**Acres:** 235±

**Applicant requesting a site plan approval to construct a 14,078sqft Fieldhouse building approximately 270' southwest of the clubhouse.**

P. Labor said that this project is also waiting for the road dedication.

K. Moore said that still have to do plans for the building, they have to get approvals to extend the water main and the hydrants which might require a letter of credit which you might have to talk with J.P. Schepp about.

P. Labor said that the Town Engineer is satisfied and there are not any other agency approvals but there has to be a letter of credit of some sort it has to be erosion control, there might be some for landscaping and there will definitely be for hydrants, but the health department doesn't need to approve and none of the DOTs, water authority and pure water don't either.

K. Moore said that everything from the County and J.P. Schepp have been addressed.

P. Laber asked if they would be able to start underground work, utility work.

K. Moore said it would require a letter of credit.

D. Fleischer motioned to close the Public Hearing.

P. Didas seconded.

Unanimously carried.

P. Didas motioned that this is an unlisted action with a negative declaration.

D. Fleischer seconded the motion.

D. Fleischer motioned to grant site plan approval to the applicant ST2C.LLC contingent on the following dependent on the roadway dedication being resolved;

1. No building shall be permitted with the exclusion of underground utilities being brought into the property in preparation for building.

2. Town Engineers approval

3. Letter of credit

P. Didas seconded the motion.

Unanimously carried.

**DISCUSSION:**

The board members discussed 122 West Ave

**MINUTES:**

P. Didas motioned to approve the minutes from 12/8/2023 with a correction

D. Fleischer seconded the motion.

Unanimously carried.

**ADJOURNMENT:**

P. Didas motioned to adjourn at 8:15PM

D. Virgilio second the motion

Unanimously carried.

**NEXT MEETING:**

The next scheduled meeting of the Planning Board will be on Tuesday, December 19<sup>th</sup>, 2023, at 7:00 PM, at the Town Hall.

*Respectfully submitted,  
Andrea Rookey Building Department Clerk*