

**JOINT TOWN/VILLAGE OF CLAYTON
PLANNING BOARD
September 5, 2024**

The meeting opened at 7:00 pm with the following members present: Doug Rogers, Chairman; Ron DuFord; Kevin Patchen; Ed Higgins; Adam Powers; Therese Christensen; Sandra McMullen; Alson Taylor (Alternate); Tom Williams (Alternate).

Also present: Richard Ingerson, Town ZEO/CEO; Dave Wilder, Village ZEO; James Kenney, Town Board Liaison; Nancy Hyde, Village Mayor; Steve Mack, ZBA Chairman; Mariah LaClair, Recording Clerk

Townspeople present: George Barton; Deborah Hopman; Joan Varsics; Candy Duswalt; Janell Matthews; D. Shawcross; Rebecca Hopfinger; Rick Tague; Ann Major-Stevenson; Elaine Listemann; Herbert Listemann; Ryan Cohen; Pam McDowell; Charlie Caprara; Maureen Caprara; Paul Frickman.

Minutes:

- **MOTION** to approve the August 2024 minutes as presented made by Ron DuFord, seconded by Sandra McMullen. All in favor, motion carried.

Communications:

- Chairman Rogers informed the audience that the public hearing for the Morgia/Kellogg application V-SPR-04-24 will be kept open for the October 3rd meeting because the applicants have not submitted the requested documentation at this time.
- George Barton requested to speak to the Board regarding a non-agenda item. He is dissatisfied with the town zoning code §235-7(HH)(1)(a) that states recreational vehicles, travel trailers, converted buses and other similar vehicles may be used for regular residential purposes for no more than 14 days in any calendar year. He has asked the Planning Board to review the code and to make a recommendation to the Town Board to change the legislation.
- Village of Clayton Mayor, Nancy Hyde, addressed the Board and the audience to introduce the new Village Zoning Enforcement Officer, Dave Wilder. If Village residents need to apply for a zoning permit they may contact the Village office at 315-686-5552. Richard Ingerson will remain the Zoning Enforcement Officer for the Town, and Codes Enforcement Officer for both Town and Village.
- Chairman Rogers updated the Board on the Town's progress of Local Law 2, to amend Chapter 235-Zoning to permit horses for hobby by special use permit in the marine residential district of the Town of Clayton. The Town did receive a 239m from the County and passed it along to Town legal counsel and have subsequently adopted local law 2 by resolution at their last Town Board meeting.
- Sandra McMullen informed the Board that she has been working with the Village Mayor in order to coordinate a Joint ZBA/Planning meeting due to public concerns and to conjoin efforts into making meetings more effective, yet more thorough. The Mayor would like to have 2 members of each board plus 2 members from the Town Board and 2 members of the Village Board for at least one meeting. The Planning Board then discussed some topic points of a joint meeting and suggested Sandra McMullen and Therese Christensen be the two members from the Planning Board.

New Business:

#1. (Village)

Applicant: Antique Boat Museum

Application #: V-SPR-06-24

Action: Site Plan Review

Site Location: 624 Mary Street and 816, 818, 820, 824 Riverside Drive, Clayton, NY 13624 (Tax Map # 20.46-1-3, 20.46-1-4, 20.46-1-5, 20.46-1-6 & 20.46-1-7)

Information: The Antique Boat Museum (“ABM”) has returned to the Planning Board to follow up with some additional requests from the August 1st Planning Board meeting. Rebecca Hopfinger went through a checklist that she created to address the additional details submitted. Chairman Rogers asked if the Village public works department was involved and Ron DuFord asked if the AMB has received approval from the Village allowing for the new curb cut. Rebecca Hopfinger replied that they have verbally agreed to both and the Village requested that they coordinate with the Development Authority of the North Country (“DANC”) but the Board will need confirmation on the curb cut and water/sewer in writing. Ron DuFord asked about the catch basin and wants to make sure the stormwater doesn’t drain to the sewer line. Ron DuFord also asked how the ABM determined on the SEQR that there were no endangered species in the area. Rick Tague answered that he checked online and none were listed. Ron DuFord stated that when he checked online through the GIS website, endangered species do come up and the Board will need to see a letter from the DEC on handling construction around the endangered species. In many cases, the DEC will recommend using a silt fence during construction. Rick Tague commented that they did send information to State Historic Preservation Office (“SHPO”) and are awaiting a response. Ron DuFord asked if the project disturbance is over 1 acre and if they would need a State Pollutant Discharge Elimination System (“SPDES”) permit. The answer is no, the project disturbance area is not over 1 acre. Ron DuFord commented on the engine repair room and stated he would like to see the ABM put in an upgraded drain for chemicals. The ABM answered that they are already working with the Village on installing an oil/water separator and Adam Powers noted that he did see that in the drawings in section C101. Adam Powers wanted confirmation that the ABM received a lot size sq. ft. area variance and a setback variance. Rebecca Hopfinger answered yes, they received both variances at the July 29 ZBA meeting. Sandra McMullen asked to see more specific details on the landscaping plans due to the public concerns of the tree being taken down. Rebecca Hopfinger did point to plans where it shows the new trees will go however, the Board agreed that they would like to have more information regarding the species of trees being planted and the size of the sapling they will plant. The Planning Board would really like to see hardy, indigenous trees being planted. Alson Taylor expressed that repurposing the tree into features of the building will be most admirable.

Motion to open the public hearing for the Antique Boat Museum site plan review application V-SPR-06-24 made by Sandra McMullen, seconded by Ron DuFord. All in favor, motion carried.

- Ann Major-Stevenson- Ann mentioned that residents in the neighborhood could be negatively impacted by the noise pollution as well as shop debris from working on boats. She specified that one neighbor is on a ventilator and respiratory issues could worsen. She suggested moving the project elsewhere on the campus, such as a piece of land next to the maintenance building. The

amount of parking that was referenced in the plans is being over accounted for because one of the lots the ABM uses is also used as public parking and was also granted permission for the Thousand Islands Arts Center to use. The Village code states that for waterfront properties, the setback required is 5 ft more than non-waterfront properties.

- Paul Frickman- Paul had a person from Cornell University come out to look at the tree and commented that tree has historical significance because it was present during the war of 1812. There is a registry for such trees and he called it a “Witnees” tree. He also stated that it could be a “Champion” tree, or a significant tree of the silver maple species.
- Joan Varsicks- Joan voiced significance of the tree as well.
- Deborah Hopman- Deborah inquired about the septic being tested. Rick Tague answered that when the houses were demolished, the septic was tested.

Motion to leave the public hearing open for the Antique Boat Museum site plan review application V-SPR-06-24 for the October 3rd, 2024 Planning Board meeting made by Sandra McMullen, seconded by Therese Christensen. All in favor, motion carried.

#2. (Village)

Applicant: Bayside Marina & Mobile Home Park

Application #: V-SPR-07-24

Action: Site Plan Review

Site Location: 1061 State Street, Clayton, NY 13624 (Tax Map # 20.62-1-9)

Information: Ryan Cohen presented plans to place a non-permanent structure on the property to service kayak rentals from. The building will be 14’ x 24’ and will be located where the main office is but on the other side of the driveway where there is currently overflow parking for the marina. The structure will not be on a permanent foundation but on slats sitting on gravel, similar to a North Country Storage Barns shed. Kevin Patchen inquired if the space will allow customers to come in or if it will be for employees only because it may affect certain aspects of the plans. Kevin stated the drawings might have to be engineered. Adam Powers believes he will not need to because it is a “moveable” structure. Ryan Cohen offered to have a customer window for transactions if they weren’t able to come inside. The purpose of the building is mainly for transactions and kayaks are stored elsewhere. Ron DuFord had a question about the SEQR Part 1 that the applicant filled out. The applicant originally thought he needed approval from the NY Department of Health but actually does not because the shed is not part of the park. Alson Taylor asked what type of flooring will be used and Ryan answered that it will be LVT. Adam Powers did ask Ryan to consult with Ron DuFord on the SEQR.

Motion to open the public hearing for Bayside Marina & Mobile Home Park application V-SPR-07-24 made by Therese Christensen, seconded by Sandra McMullen.

- Joan Varsicks- Joan asked if there will be enough room for trucks to maneuver into the property. She stated that there are already concerns about the garbage truck that comes. Alson Taylor did also inquire about access for EMS and Firetrucks. Joan also commented that the drawings used to show the proposed shed are outdated and should show current structures on the property. The Planning Board did ask Ryan to use a more updated drawing, with accurately scaled buildings, but states that the current drawing does depict accurate property lines.

- Candy Duswalt- Candy asked if the shed will be taking away from the designated parking. Ryan answered that the shed would take up approximately two spots but the lot is for overflow parking, not their main parking.
- Deborah Hopman- Deborah asked if more mobile homes are being added to the park. Ryan answered that the plans are only for the shed for kayak rentals.
- Ann Major-Stevenson- Ann asked how many boat slips are in the marina because they must have one parking space for each boat slip. Ann also asked if Jefferson County needs to be informed due to its location on a state road. Chairman Rogers answered that the applicant does not need a 239-m because the proposed building is under 500 sq. ft. but did comment that it is in the Scenic Protective Overlay “SPO”.

Motion to leave the public hearing open for the October 3rd Planning Board meeting for the Bayside Marina & Mobile Home Park application V-SPR-07-24 made by Adam Powers, seconded by Kevin Patchen. All in favor, motion carried.

Adjournment- Motion to adjourn the September 5th Planning Board meeting at 8:35 PM made by Kevin Patchen, seconded by Ed Higgins. All in favor, motion carried.

Mariah LaClair, Recording Clerk