

**JOINT TOWN/VILLAGE OF CLAYTON
PLANNING BOARD
August 1, 2024**

The meeting opened at 7:07 pm with the following members present: Doug Rogers, Chairman; Ron DuFord; Therese Christensen; Sandra McMullen; Tom Williams (Alternate). *Absent: Ed Higgins; Adam Powers; Alson Taylor (Alternate)*

Tom Williams will sit in for Ed Higgins.

Also present: Richard Ingerson, ZEO/CEO; James Kenney, Town Board Liaison; Mariah LaClair, Recording Clerk

Townspople present: Candy Duswalt; Tracy Brabant; Ann Major-Stevenson; Norma Zimmer; Michelle Armstrong; Rebecca Hopfinger; Taylor Woolf; Paul Frickman; Kevin Patchen.

Minutes:

- **MOTION** to approve the July 2024 minutes with a correction to App #3, height of the proposed townhouses from 39' to 34'-8" made by Ron DuFord, seconded by Sandra McMullen. All in favor, motion carried.
- **MOTION** to correct the May 2024 minutes to amend the St. Lawrence Seaway RSA Cellular Partnership dba Verizon Wireless application type from site plan review to special use permit made by Ron Duford, seconded by Sandra McMullen. All in favor, motion carried.

Communications:

- Kevin Patchen has retired with over 30 years of service to the Town at the Highway Department. He has to resign from all public service until his retirement is processed and then will be re-appointed to the Planning Board and his term will be reinstated.
- Chairman Rogers contacted the Village Lawyer, Jim Burrows, and read a letter in answer to inquiries made by members of the public. Jim Burrows stated in the letter that in cases of variances and site plan reviews, they are applied for separately and it does not matter if the ZBA meets first and then Planning or vice versa.
- Chairman Rogers informed the public that the public hearing for the Morgia/Kellogg application V-SPR-04-24 will be kept open for the September 5th meeting because the applicants have not submitted the requested documentation at this time.
- The Town Board will be holding a public hearing on Wednesday, August 14 at 5:15PM at the Cerow Recreation Park Arena regarding the proposed legislation amending chapter 235- zoning of the Town code to allow horses for hobby through special use permits in the marine residential district. They will not be holding a vote until a later meeting as they still need a 239-m letter from Jefferson County Planning.

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”) is proposing the construction of a new wooden boat shop on the corner of Riverside Drive and Mary Street. The applicants received a lot size variance as well as a west side-yard setback variance from the Zoning Board of Appeals at their July 29, 2024 meeting. Plans were presented by Rebecca Hopfinger and Taylor Woolf of BCA Architects. The current workspace for the wooden boats is in a building across the street that is of mix-use with maintenance and lawn equipment. Rebecca stated that the debris from the equipment effects varnishing the wooden boats. Also, the building currently being used is not large enough to work on some of the larger boats. The size and the dimensions of the new building are set to accommodate their largest vessel, the “Seagull” and the building was angled to allow backing boats into the facility. Taylor Woolf explained that the front entrance is facing the intersection of Mary Street and Riverside Drive and the boat entrance is on the side where the parking lot is. This is also why some of the land will remain gravel and cannot be replaced with greenspace, in order to drive boats into the building. They will also be relocating the existing curb cut into the parking lot and moving the street parking spaces further down allowing tractor trailers to maneuver into the lot. Changing the curb cut will not change the number of parking spaces however the ABM will need to coordinate with the Village before making any changes. Ron DuFord would like to see a written statement from the Village allowing the change to the curb. The pedestrian entrance to the facility will feature a patio or plaza space with seating and for the public to use and will have some landscaping. The new building could also host educational courses and the ABM would create programs for learning opportunities. The aesthetics of the new building will match other buildings in the AMB campus. Chairman Doug Rogers mentioned the discussion at the ZBA meeting of the large maple tree that is to be removed in order to construct the building. Chairman Rogers inquired the applicants landscaping plan to replace the tree. Rebecca answered that the ABM plans to add three trees on one side of the property and two on the other. These trees are on the drawings that were submitted. There will be some shrubbery added to the patio entrance area. The ABM does have plans to repropose the maple tree and if possible, would like to use it for the main entry door of the facility and if not feasible, they would use it for other smaller crafts and the tree would be milled by a local mill. Ron DuFord asked about drainage plans. Taylor Woolf explained that the grading will not change and rainwater currently runs off into the River and Village stormwater drain. There will be no blacktop added, only gravel and pavers. Ron DuFord asked to have scuppers added to the plans to show water will not drain onto the sidewalk. Ron DuFord and Sandra McMullen are concerned with the size of the building and if it will match the neighborhood and also concerned about the amount of parking. Rebecca Hopfinger stated that the new building will match other ABM buildings in the area and it forms a campus. They are looking to expand parking but already have many existing lots. The Board asked about the lighting plans. Taylor Woolf remarked that the exterior lighting will be downcast and if they have a sign, downcast lights on the sign. Chairman Rogers reminded them that if they are to have a sign, they must apply for a sign permit. Therese Christensen asked when the start date of the project will be. Taylor answered that it would start at the end of the busy season and be open by next summer’s busy season. Ron DuFord requested that the applicants contact the NYS DEC for a letter concerning any endangered species in the area. Chairman Rogers informed the Board that he does have a Waterfront Assessment Form (“WAF”) for the project because they are in the Local Waterfront Revitalization Project district (“LWRP”). Chairman Rogers also went to the Clayton Local Development Corporation (“CLDC”) to see their goals

for the riverwalk and confirmed it will not conflict with this project. Chairman Rogers does also have an authorization to act as agent on file. He went through the rest of Site Plan Review checklist with the Board. The applicants do have a survey/sketch of the property, they have a site plan showing the location of the project, they have proposed walkways and an architectural sketch of the structure. They still need to see the scuppers on the plans for drainage, the Board does not need to see a feasibility plan because it is not critical, a construction schedule was explained verbally but they can supply something in writing, hours of operation cannot be determined by the Planning Board during a site plan review, number of employees and volume of business should be answered in section 25 of the application but Rebecca Hopfinger did express verbally that the amount of staff will not be expanding. Part I of the SEQR has been completed and a filing fee has been paid. The Planning Board does not need a 239-m from Jefferson County Planning because the project is not within 500 feet of any State or County roads. On the bottom of the site plan review checklist are additional standards to consider. Chairman Rogers did read off those as well. There is a harmonious relationship between proposed uses and existing nearby uses because the ABM has existing facilities that form a campus. The ABM does have maximum safety of vehicular and/or boat circulation between the site and the road network and/or adjoining waterways. They have adequacy of internal circulation, parking, docking and/or loading facilities because they have their own private docks, off-site storage and several parking lots. Setbacks are being met because they were approved variances/ new setbacks by the Zoning Board of Appeals. Point 5 addresses the environmental impact and the Board did request the applicants reach out to the DEC concerning endangered species and there was discussion of how the ABM plans to replace the large maple tree with 5 new trees. Parts II and III of the SEQR still need to be completed as well. The Planning Board has inquired about landscaping and lighting. There are no health, safety, or general welfare concerns.

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

- Michelle Armstrong- Michelle asked to revisit point 5 on the site plan review checklist additional standards to consider. She stated that the large tree being taken down is a silver maple and is very rare and believes removing it does have an adverse impact on the environment. She read a study of the importance of old trees and their storage of carbon dioxide and how they keep temperatures cool and improve soil quality. Large trees are a haven for wildlife and she urges the applicants to save the tree.
- Candy Duswalt- Candy asked about the aesthetics question of the site plan review checklist and asked if the sq. ft. variance given to the ABM for being oversized is a negative impact on the aesthetics. Doug Rogers answered that the question refers to architectural features and finishes. Candy expressed excitement for potential classrooms and wanted clarity on the educational plan. Rebecca Hopfinger explained that the ABM would partner with other organizations such as Save the River, Thousand Islands Arts Center, schools, etc. to provide opportunities for small classes to learn about wooden boat making and repair. Candy asked if there are already classes offered and Rebecca answered that the ABM cannot host dedicated classes in its current shop.
- Paul Frickman- Paul agrees with the importance of keeping the large maple tree for carbon-capture and wildlife however, would also support repurposing the tree into souvenirs or crafts for the community.
- Tracy Brabant- Tracy expressed concern about the limited real estate in Clayton. She stated that the corner of Riverside Drive and Mary Street is the largest undeveloped area in the Village. She

does not want to see the land in the Village be overdeveloped and conveyed that the Zoning Board of Appeals passes variances too easily. She referred to Village code §132-80 concerning the development of nonconforming lots and believes the ZBA is misinterpreting the code.

- Michelle Armstrong- Michelle added that she believes it is counterintuitive to approve variances before projects go to the Planning Board.
- Candy Duswalt- Candy added that the Planning Board can choose to vote “NAY” on the project because they are overbuilding on the lot.
- Ann Major-Stevenson- Ann referred to Village code §132-36. She also stated that the Planning Board should see a project first, before it is sent to the ZBA for variances. Richard Ingerson stated that this project did go to the Planning Board first for a “pre-conference”. Ann also refers to Village code §132-84, specifically where it states that the Planning Board can submit an advisory opinion to the ZBA upon request, and believes they should do so for each project that sees both boards.

Motion to leave the public hearing open for the Antique Boat Museum site plan review application V-SPR-06-24 for the September 5, 2024 Planning Board meeting made by Tom Williams, seconded by Therese Christensen. All in favor, motion carried.

Adjournment- Motion to adjourn the August 1 Planning Board meeting at 8:35 PM made by Ronald DuFord, seconded by Therese Christensen. All in favor, motion carried.

Mariah LaClair, Recording Clerk