

Town Supervisor
Lance Peterson
Town Board Members
Kenneth Knapp
Donna J. Patchen
James Kenney
Kathleen LaClair



Town of Clayton
405 Riverside Drive
Clayton, New York 13624
Telephone: (315) 686-3512
Fax: (315) 686-2651
www.townofclayton.com

Town Clerk
Megan Badour

TOWN BOARD WORKSHOP MEETING AGENDA

Wednesday, August 23, 2023 • 5:00pm • Depauville Free Library, Depauville

1. Pledge of Allegiance

2. Town Board Workshop Meeting

A. Guests:

B. Town Clerk

- i. Correspondence that needs recording
- ii. Minutes from 8/9/2023 Regular Meeting

C. Public: Comment on Agenda Items

D. Public Hearings:

- i. Proposed Local Law 3 2023 Tax Cap Override: 5:15pm
- ii. Proposed Local Law 4 2023 Correct LL2 2021: 5:30pm

E. Workshop Discussion Items

- i. Depauville Library Lease Renewal
- ii. Budget Workshop

F. Public: *Comment on Agenda Items*

3. Adjournment

Next Board Meeting: *Wednesday, September 13, 2023 @ 5:00pm at Cerow Recreation Park Arena*

State of New York Department of Health
Watertown District Office
317 Washington Street
Watertown, NY 13601-
(315) 785-2277
wado@health.state.ny.us

Swimming Pool Inspection Summary Report

Operation: CLAYTON RECREATION PARK POOL (ID: 361997)
Facility Name: CLAYTON RECREATION PARK POOL
Facility Code: 22-4283 Facility Email: jejones@townofclayton.com
Facility Address: 405 Riverside Drive, Clayton, NY 13624

To the Attention of:

James Jones
Town of Clayton
405 Riverside Drive
Clayton, NY 13624
Email: jejones@townofclayton.com

Inspection

Date: August 9, 2023 01:59 PM
Inspector: Claude Curley (claude.curley@health.ny.gov)
Responsible Person: Courtney Evans-eppolito

Summary

Number of Public Health Hazards Found:	0
Number of Public Health Hazards NOT Corrected:	0
Number of Other Violations Found:	0

Each item found in violation is reported below along with the code requirement.

NO PUBLIC HEALTH HAZARDS REPORTED

NO NON-PUBLIC HEALTH HAZARDS REPORTED

Additional Information Collected During Inspection

Supervision Level at Time of Inspection: Ila
Temporary Residence / Campground: No

Water Chemistry

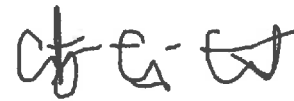
Disinfectant: Chlorine

Free Cl/Br (mg/L)	<u>2</u>	Combined Cl (mg/L)	<u>0.5</u>	Calcium Hardness (mg/L)	<u>175</u>
pH	<u>7.4</u>	Total Alkalinity (mg/L)	<u>120</u>		
		Flow Meter Reading (gpm)	<u>900</u>		

Comments: New CPO Jeff..good job with maintenance, pool chemistry excellent. Muriatic bulk fill needs enhancement to air-gap.
Head Lifeguard Courtney Evans-Eppolito - supervision is in substantial compliance with 6-1 requirements.
Discussion re: swim lessons, a certified guard or Level 3 staff must be supervising whole pool while lessons are given.
Supt Jim Jones - thank you for keeping the Dept informed of issues relative to operation of the pool throughout the year...it has been a pleasure working with you.
Investigation of potential bather illness complaint reported to DOH associated with use of pool did not reveal any abnormalities with pool operation.



Inspector: Claude Curley (claude.curley@health.ny.gov)



Received by: Courtney Evans-eppolito



TOWN OF CLAYTON
GMAIL GROUPWARE

Megan Badour <townclerk@townofclayton.com>

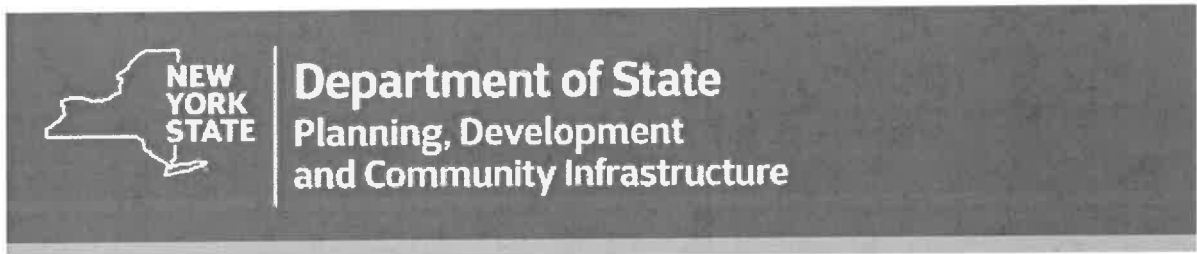
You're Invited: Downtown Revitalization Initiative and NY Forward Webinar

1 message

NYS Department of State <NYSDeptofState@updates.dos.ny.gov>
Reply-To: NYSDeptofState@updates.dos.ny.gov
To: townclerk@townofclayton.com

Mon, Aug 14, 2023 at 10:31 AM

[View this email in a web browser](#)



Are you interested in the Downtown Revitalization Initiative (DRI) or NY Forward program?

Join us for a Webinar featuring some of the top mayors in the State who have successfully implemented their DRI award!

Mayors from Oswego, Elmira, Westbury and Middletown will share their insights, lessons-learned and experiences to help inform your applications. If you've already received a DRI or NY Forward award, you can gain valuable insights into the administration of the program. Or you may just want to learn more about the programs and successful downtown revitalization strategies in general.

WHEN: Friday, August 25th, 10am - 11:30am

[Click Here to Register](#)



About the Downtown Revitalization Initiative & NY Forward

New York State's Downtown Revitalization Initiative (DRI) and NY Forward program are cornerstones of the State's economic development program. The DRI was created in 2016 to accelerate and expand the revitalization of downtowns and neighborhoods in all ten regions of the state to serve as centers of activity and



catalysts for investment. Building on the success of the DRI, NY Forward invigorates and enlivens downtowns in New York's smaller and rural communities—the type of downtowns found in villages, hamlets and other small, neighborhood-scale municipal centers. Led by the Department of State, with assistance from Empire State Development, Homes and Community Renewal and NYSERDA, both programs represent an unprecedented and innovative "plan-then-act" strategy that couples strategic planning with immediate implementation and results.

To date, the state has committed \$800 million, investing in 93 downtowns ripe for revitalization that have the potential to become magnets for redevelopment, business, job creation, greater economic and housing diversity and opportunity.

[Learn more](#)

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Department of State · 123 William Street, New York, NY 10038-3804



KENDALL, WALTON & BURROWS

Attorneys-at-Law

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Watertown, NY 13601
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*Service of Papers by Email
or Fax is Not Authorized*

August 7, 2023

TOWN OF CLAYTON
ATTN: TOWN BOARD
405 Riverside Drive
Clayton, NY 13624

RE: Storage Battery Fires
KWB File No.: 46433.0000

Dear Supervisor Peterson and Town Board Members

Technology continues to make advances related to green energy production, such as solar farms. Unfortunately, four (4) lithium battery storage trailers recently caught fire at a solar farm in the Town of Lyme. Such fires apparently burn for days at extreme temperatures. Local citizens remain concerned about the possibility of toxic by-products in the air and/or groundwater. I anticipate we will learn whether those risks are real, or not, in the near future, and if so the extent of those risks.

It is likely that solar farms proposed for the North Country will include battery storage facilities and that existing solar farms might look to amend their permits to allow the inclusion of battery storage facilities. The Town Board and Zoning Officer might wish to review existing land use regulations and consider whether amendments might be appropriate in order to limit and/or restrict battery storage facilities to more remote locations in the Town and/or to provide safeguards to environmentally sensitive areas and/or establishing appropriate setbacks from local dwellings.

Feel free to contact us if we might assist in this regard.

Very truly yours,

KENDALL, WALTON & BURROWS


James A. Burrows

JAB/sjw

Megan S. Kendall

Peter L. Walton
Kathryn J. Harrienger

James A. Burrows



Megan Badour <townclerk@townofclayton.com>

Land Use Training Session

1 message

Michael Bourcy <mbourcy@co.jefferson.ny.us> Tue, Aug 8, 2023 at 4:01 PM

To: abaycont@yahoo.com, adamsvmayor@frontiernet.net, admin@townofleray.org, alexandriabayvillageoffices@gmail.com, alexclrk@townofalexandria.org, alexzone@ridgeviewtel.com, Alexzone@townofalexandria.org, Alisaanne@hotmail.com, alixkrueger@icloud.com, ampastorius@aol.com, Andy Nevin <andyn@co.jefferson.ny.us>, antwerpvillage@yahoo.com, aodrisco@twcny.rr.com, bashodian@aol.com, bethbrassard@yahoo.com, bjd@fourthcoast.com, bjnichols@frontiernet.net, bktsrambler@gmail.com, bleddy@mail.ircsd.org, bmoore46@twcny.rr.com, bobkuba@gmail.com, Bob Kuba <bobkuba86@gmail.com>, bparadox23@aol.com, bradndonnas@aol.com, brayconst@yahoo.com, brcodeenforcement@blackriverny.org, brentsweet@gmail.com, brianeckert07@gmail.com, bulljw@gmail.com, bville@nnyemail.com, capevincentzoning@centralny.twcnc.com, capone.michelle@yahoo.com, carlandcindicolas@gmail.com, carolynjsmithers@yahoo.com, carthagect@westelcom.com, champion.supervisor@racog.org, charlesatrudell@gmail.com, cheffjewelsarmstrong@yahoo.com, chief5@twcny.rr.com, chiefjackson13@yahoo.com, chris@racog.org, chris_love198478@yahoo.com, chrislabow@gilcony.com, christopher.balk@dec.ny.gov, "Eastman, Christopher (DOS)" <Christopher.Eastman@dos.ny.gov>, chuckflorence.cf@gmail.com, clerk@townofhendersonny.org, clerk@townofpamelia.com, clerk@villageofadams.com, Clerk@villageofclayton.org, clerk@villageofdeferiet.org, clerktreasurer@blackriverny.org, Cliff Schneider <clif.schneider@protonmail.com>, Charlene Mannigan <cm3pax@yahoo.com>, cmunger8@twcny.rr.com, code@villageofcarthageny.com, code-enforce1@townofphiladelphia.com, Richard Ingerson <codes@townofclayton.com>, craigsternberg@hotmail.com, crgilkey@gmail.com, csassessor@frontiernet.net, ct@villageofcarthageny.com, cyenraf@twcny.rr.com, cynthiasimpson60@yahoo.com, cynthiastanton2010@gmail.com, Damon Kirkby <damonkirkby@gmail.com>, dawncnier@gmail.com, dbutler6@twcny.rr.com, dch@gisco.net, dclark@bartonandloguidice.com, dcrandall@dbcrandall.com, ddebbiemckenzie@yahoo.com, debbiepayne19@gmail.com, deborahbiondolillo@gmail.com, denmarkclerk@hotmail.com, deputyclerk@sacketsharbor-ny.gov, deputyclerktreasurer@blackriverny.org, dexter1855house@gmail.com, dfoster2@twcny.rr.com, Dean Gillan <dgillan@twcny.rr.com>, dhdocteur@yahoo.com, Deb McAtee <dhmcatee@icloud.com>, Dick MacSherry <dickmacsherry@twcny.rr.com>, djdelosh@gmail.com, dkello2@twcny.rr.com, dmtheresa@gmail.com, dmorgan7@twcny.rr.com, Doriann Froelich <doriannf@co.jefferson.ny.us>, droggers23@twcny.rr.com, dshel@frontiernet.net, duffany@gmail.com, David Prosser <dwprosser@gmail.com>, eah@tds.net, ebender@twcny.rr.com, eddy811@gmail.com, "edenmi@verizon.net" <edenmi@verizon.net>, efkogut@gmail.com, eggs54@gmail.com, ellisburgclerk@gmail.com, enforcementofficer@townofhendersonny.org, eurobilly@gmail.com, evansmillscerk@outlook.com, felineone1@verizon.net, fjb47@aol.com, flanham@twcny.rr.com, fswadsworth@twcny.rr.com, gari.vibber@gmail.com, garynjackiec@live.com, gerncny@yahoo.com, glenpark@twcny.rr.com, gstadalski@gmail.com, Geoffrey T Urda <gurda@watertown-ny.gov>, George Yarnall <gyarnall36@tds.net>, habeejubee@hotmail.com, hibenins@frontiernet.net, hleitner@frontier.com, hrfinance@twcny.rr.com, hwdemick@yahoo.com, hylightbrownswiss@yahoo.com, jantzihesc@frontiernet.net, jbarella@twcny.rr.com, jc_corbin@msn.com, jckiech12@cnyemail.com, "John J. 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SAVE THE DATE - September 26, 2023 @ JCC

We have scheduled staff from NYSDOT to come up and present a session TBD.

An EventBrite notification will go out in a few weeks.

Please forward to other members of your board.

Please respond if you no longer wish to receive these notifications.

Michael J. Bourcy, Director
 Jefferson County Department of Planning
 175 Arsenal Street, Watertown, NY 13601
 315-785-3144



A New Direction

167 Polk Street, Suite 320 • Watertown, NY 13601

July 31, 2023

Ms. Alicia Dewey, SHRM-SCP, CPHR, Budget Officer
Town of Clayton
405 Riverside Drive
Clayton, New York 13624

Dear Ms. Dewey,

Enclosed, please find the second quarter statistics for 2023. We welcome the opportunity to serve you and your employees. Please take a moment to look over your utilization statistics for this last quarter. This information is useful and can lead to requests for additional services such as trainings or seminars offered by Pivot Employee Assistance Services.

Thank you for forwarding newsletters, information, and workshops to your employees. We heavily rely on you to get the word out to your staff. It serves as a great reminder that Pivot Employee Assistance Services is available to them and eligible family members.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Flanagan'.

Kelly Flanagan Hall
Pivot Employee Assistance Services Program Coordinator
www.pivot2eap.com
Check us out on Facebook

2023 Pivot Employee Assistance Services Town of Clayton Quarterly Report

	QTR 1	QTR 2	QTR 3	QTR 4	YTD
OVERALL STATISTICS					
New Clients	0	0	0	0	0
Client Contacts	0	0	0	0	0
Phone Contacts	0	0	0	0	0
Orientation/Training Attendance	0	0	0	0	0
Benefits Fair Attendance	0	0	0	0	0
Information/Wellness Sessions Attendance	0	0	0	0	0
NEW CLIENT DATA ONLY					
Employees Assisted	0	0	0	0	0
Family Members Assisted	0	0	0	0	0
HOW EAP WAS ACCESSED					
Voluntary Self Referral	0	0	0	0	0
Family Member	0	0	0	0	0
Supervisor	0	0	0	0	0
Co-Worker/School	0	0	0	0	0
SOURCE OF AWARENESS					
Poster	0	0	0	0	0
Pamphlet	0	0	0	0	0
Orientation	0	0	0	0	0
Co-Worker/School	0	0	0	0	0
Supervisor	0	0	0	0	0
Family Member/Friend	0	0	0	0	0
Wallet Card	0	0	0	0	0
Previous Client	0	0	0	0	0
PROBLEM AREA					
Alcohol Use	0	0	0	0	0
Drug Use	0	0	0	0	0
Alcohol/Drug use in family	0	0	0	0	0
Mental/Emotional	0	0	0	0	0
Financial	0	0	0	0	0
Job/School	0	0	0	0	0
Family/Relationship	0	0	0	0	0
Legal	0	0	0	0	0
ASSESSMENTS/RESULTS					
Formal Referral	0	0	0	0	0
Handled by EAP Staff	0	0	0	0	0



Trainings and additional services offered for the last quarter.

All trainings and workshops are offered in person and/or via zoom.

Each contract was contacted via phone or email to check on marketing materials, requests for orientations, trainings, and other needs.

Teacher support group 5/4/2023, 5/7/2023 and 5/12/2023

Hidden Mischief 6/20/2023

Narcan training an ongoing training contact Pivot Employee Assistance Services if you are interested in an on-site training.

Hidden mischief an ongoing training contact Pivot Employee Assistance Services if you are interested in an on-site training.

Live orientations offered each month via zoom, and on-site.

Workplace wellness on going until labor day

**If you are interested in additional trainings, or marketing materials.
Please contact; Kelly Flanagan Hall 315-788-4790.**

Town of Clayton Regular Meeting Minutes

Wednesday, August 9, 2023

The Town Board of the Town of Clayton held their regular meeting at 5:00 PM, at Cerow Recreation Park, Clayton, NY.

The following persons attended:

Lance Peterson	Kenneth Knapp	Megan Badour	James Jones
Kathleen LaClair	James Kenney	Alicia Dewey	Donna Patchen
Pamela McDowell	Steve Dorr, Sr.	John Hahn	May Hahn
James Lettiere			

1. Pledge of Allegiance: Supervisor Peterson opened the meeting with the Pledge of Allegiance

2. Guests: N/A

3. Town Clerk:

A. Correspondence:

1. Charter Communications (see attached)
2. NYS Dept of State Revitalize Your Downtown (see attached)
3. NYS Liquor Authority Notice- C-Way Tourinn (see attached)
4. NYS DEC Adoption Notice for Rule-makings (see attached)
5. Brookfield Renewable Energy Group Hydroelectric Projects (see attached)

B. Minutes:

1. Minutes from 7/26/2023 Regular Meeting to be approved. Motion made by Kathleen LaClair, seconded by James Kenney. **Motion carried.**

4. Public: No comment on agenda items.

5. General Discussion Items:

A. Bills and Transfers:

i. Abstract #8 of 2023

Motion was made by Kenneth Knapp, seconded by James Kenney, to approve Abstract #8, in the amount of \$187,007.46. **Motion carried.**

ii. Transfers:

Motion to approve a transfer in the amount of \$39,990.00 from the Highway Reserve to the Highway Budget for loader and forks purchase dates 6/2023 by Donna Patchen, seconded by Kenneth Knapp. **Motion carried.**

iii. Budget Amendment: N/A

iv. New Accounts/Special Entries: N/A

B. Supervisor's Report & Bank Reconciliations:

Motion was made by James Kenney, seconded by Kenneth Knapp to approve this for July 2023. **Motion carried.**

C. Balance Sheets: July 2023

D. Resignations; Appointments & Rate Changes:

i. Resignations:

Motion to regretfully accept the resignations of full-time members Fredrick Bach and Duane Hazelton from the Planning Board by Kathleen LaClair, seconded by Donna Patchen. **Motion carried.**

Motion to promote Sandra McMullen from an alternate to a full-time Planning Board member with a term ending 12/31/2026 and to promote Ronald DuFord from alternate to full-time Planning Board member with a term ending 12/31/2023 and to advertise the vacant Planning Board Alternate positions made by James Kenney, seconded by Kenneth Knapp. **Motion carried.**

ii. Positions/Appointments:

Motion to approve Substitute Lifeguard, Eleanor Foody, effective 8/10/23 at the rate of \$15.00/hour by Donna Patchen, seconded by Kathleen LaClair. **Motion carried.**

iii. Rate Changes: Motion was made to approve step increases of \$.50/hour for Horton, effective 6/25/23 by Kenneth Knapp, seconded by James Kenney. **Motion carried.**

E. Training: N/A

F. Fuel Bids:

Motion to solicit fuel bids with a return date of September 13, 2023 at 2pm by Kathleen LaClair, seconded by Kenneth Knapp. **Motion carried.**

G. 2013 Ford F250 Bids:

Motion to accept the bid for the 2013 Ford F250 in the amount of \$15,010.00 from White's Lumber by Donna Patchen, seconded by Kathleen LaClair. **Motion carried.**

H. Blind Bay Support Resolution:

Resolution 45 of 2023, the Blind Bay Support Resolution, introduced by Kenneth Knapp, seconded by Donna Patchen. Patchen-aye; LaClair-aye; Knapp-aye; Kenney-aye; Peterson-aye. **Passed.**

I. Introduce Local Law #3 of 2023: Tax Cap Override:

Local Law 3, Tax Cap Override introduced by James Kenney, seconded by Donna Patchen. Patchen-aye; LaClair-aye; Knapp-aye; Kenney-aye; Peterson-aye. **Passed.**

Following this the public hearing was set for August 23, at 5:15 pm, at the Depauville Library.

Motion made by James Kenney, seconded by Donna Patchen. **Motion carried.**

F. Introduce Local Law #4 of 2023 to Correct LL2 2021:

Local Law #4 of 2023, to correct LL2 of 2021 introduced by Donna Patchen, seconded by Kathleen LaClair. Following this the public hearing was set for August 23, at 5:30 pm, at the Depauville Library. Patchen-aye; LaClair-aye; Knapp-aye; Kenney-aye; Peterson-aye. **Passed.**

G. Set Budget Workshop Dates:

Motion was made by James Kenney, seconded by Kenneth Knapp to set the Budget Workshop Dates as follows: August 23 at the Depauville Library @ 5:00 pm, September 13 and October 4, 2023 at Cerow Recreation Park @ 5:00 pm. **Motion carried.**

H. Performance Evaluations:

All evaluations have been completed.

I. Set August 23rd Meeting at Depauville Library:

Motion made by Kenneth Knapp, seconded by James Kenney to set the August 23, 2023 meeting at the Depauville Library at 5:00 pm. **Motion carried.**

6. Supervisor's Report: N/A

7. Department Head Reports:

A. Highway Superintendent: Steve Dorr- Crew is working on Black Creek Road, to include upcoming paving.

B. Buildings & Grounds: James Jones- Shows at the arena have been going well. Health inspector was at the pool today, no known concerns. No concerns at the transfer site. Docks have been at or near capacity this summer.

C. Assessor: Alexander Marchenkoff- N/A

D. Codes/Zoning: Richard Ingerson-N/A

8. Council Reports

- Councilman Knapp: Libraries are wrapping up their summer programs. Large thanks to our local communities for supporting the lunch programs at these locations.
- Councilwoman Patchen: Slight water issue at the Opera House with all the rain, but appears to be resolved at this time.
- Councilman Kenney: No reports at this time.
- Councilwoman LaClair: No reports at this time.

9. Public:

James Lettiere- Mr. Lettiere addressed the Town Board with regard to the Rt 12 Sewer District, stressing the importance of continuing with the project.

John Hahn- Mr. Hahn addressed the Town Board with regard to the Rt 12 Sewer District, stressing the importance of continuing with the project.

10. Adjournment:

Motion was made by Kenneth Knapp, seconded by Kathleen LaClair to adjourn at 5:35 PM. **Motion carried.**

Next Meeting: Wednesday, August 23, 2023 at 5:00PM at the Depauville Free Library, 32333 Caroline St. Depauville, NY.

LOCAL LAW FILING

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Clayton
Local Law No. 3 of the year 2023

A local law to override the tax levy limit established in General Municipal Law §3-c.

Be it enacted by the Town Board of the Town of Clayton as follows:

Section 1. Legislative Intent. It is the intent of this local law to permit the Town of Clayton to adopt a budget for the fiscal year commencing January 1, 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority. This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override. The Town Board of the Town of Clayton, County of Jefferson, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date. This local law shall take effect immediately upon filing with the Secretary of State.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.) I hereby certify that the local law annexed hereto, designated as local law No ____ of 2023 of the Town of Clayton was passed by the Town Board on August ____, 2023, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective

Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ and was deemed duly adopted

(Elective Chief Executive Officer)*

on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 ____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20____

(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the of the (County)(City)(Town)(Village) of _____ was duly passed by _____ on _____ 20____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20____. Such local _____

(Elective Chief Executive Officer)

law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____

20____, in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general)election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November ____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the town of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Megan Badour, Town Clerk, of the Town of Clayton

(seal)

Date: August ____, 2023

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Megan Kendall, Town Attorney

Town of Clayton

Date: August ____, 2023

Town of Clayton
LOCAL LAW ___ OF 2023

REPEAL and REPLACE
Local Law No. 2 of the year 2021
A Local Law to Amend the Town of Clayton Zoning Law

Be it enacted by the Town Board of the Town of Clayton as follows:

SECTION 1. TITLE.

Town of Clayton Zoning by adding a new Section, Planned Development District.

SECTION 2. AUTHORITY.

This Local Law is adopted pursuant to the authorization granted by Sections 261-263 of the Town Law, of the State of New York and Section 10 of the Municipal Home Rule Law.

SECTION 3. ENACTMENT.

The Town Board of the Town of Clayton hereby amends the Code of the Town of Clayton to add a new Section 235-17.5 as follows:

§ 235-17.5 Planned Development District

A. Statement of Purpose and Applicability:

Planned Development Districts (PDD's) provide opportunities to create more desirable environments through the application of flexible and diversified land development standards based on the Town/Village of Clayton Comprehensive Plan (see Exhibit A), this Section, the Local Waterfront Revitalization Plan and a proposed development plan that is professionally prepared. A PDD is a zoning overlay option designed to overcome the rigidity of traditional zoning, protect environmentally sensitive areas and encourage or discourage specific types of development. Traditional zoning ensures consistent applications of regulations, but it does not easily accommodate innovative development. The POD allows for site-specific regulations in response to on-site conditions or to mitigate off-site impacts. The Joint Town/Village of Clayton Planning Board will carefully review submitted POD applications for consistency with the Town of Clayton Zoning Ordinance, Town/Village of Clayton Comprehensive Plan, Local Waterfront Redevelopment Plan and the proposed project's harmony with adjacent development. The Town of Clayton recognizes that its most important and sensitive resources are its extensive shoreline, agricultural heritage, scenic view shed and community scale. Development affecting these important

resources are of major concern to the Town of Clayton. While the Town of Clayton desires to encourage the use and development of these resources, development must be compatible with and complement adjacent land uses.

It is the purpose of a Planned Development District to provide for flexible land use and design regulations so that certain uses may be developed in the Town of Clayton that incorporate a variety of residential and non-residential uses; and contain individual building sites and open space planned for the general well-being of the inhabitants.

While the standard zoning functions (use and area) are appropriate for the regulation of land use in some areas or neighborhoods, such regulations may need to be adjusted to accommodate innovative techniques of quality land development contained in a Planned Development District. That is not to say that current zoning regulations will not be considered during the review process. However, the Planned Development District is intended to encourage the application of new techniques and technology to community development resulting in superior living and development arrangements with lasting values.

B. General Requirements and Review Criteria

1. The following is a list of requirements for a Planned Development District.
 - a) Minimum Area: Generally, a POD must be comprised of at least fifty (50) acres of contiguous land. Smaller tracts may be allowed if the applicant meets the standards and purposes of the comprehensive plan. Minimum lot size and frontage for Planned Development use which is less than the minimum specified in the current regulations shall be determined by the Joint Town/Village of Clayton Planning Board.
 - b) Ownership: The tract of land for a project may be owned, leased, or controlled either by a single person, corporation, group of individuals, or corporations. An application must be filed by all owners or designees or the holder of a valid purchase offer or development option of all property included in the project. In the case of multiple ownership, the approved application shall be binding on all owners.
 - c) Permitted Uses: All uses must be approved by the Joint Town/Village of Clayton Planning Board. In reviewing and acting on applications for Planned Development Districts, the Joint Town village of Clayton Planning Board will evaluate each proposal with the spirit and intent of this Section and the Town village of Clayton Comprehensive Plan.
 - i. Residential Uses- Residences may be of any variety or type

including single-family, two-family, multi-family and townhouse dwellings. No manufactured homes will be permitted;

- ii. Non-residential Uses may include small retail/service, recreational facility, community facilities, lodging, restaurants and marinas. All such uses shall be in keeping with the character of the proposed district, current land use and adjacent uses;
 - iii. The non-residential uses of a commercial or business nature may be in separate buildings or incorporated within two-family or multi-family structures or in suitable combinations of these alternatives and shall not be duplicative to the downtown business district; and
 - iv. Customarily accessory uses, such as private garages and storage spaces shall be permitted.
- d) Common Property: Common property is not required for a Planned Development District. However, it is often a characteristic of such proposals. Common property within a Planned Development District is a parcel or parcels with or without the improvements thereon, the use and enjoyment of which are shared by the owners and occupants of the individual building sites. When common property exists in private the ownership of such common property may be either public or private. When common property exists in private ownership, the Joint Town/Village of Clayton Planning Board must approve the arrangements for the improvement, operation and maintenance of such common property and facilities, including streets, drives, service and parking areas, utilities, recreation, community gardens and open space areas.
- e) Parking: Parking provisions shall be regulated by the parameters set forth in the Town/Village of Clayton Comprehensive Plan (e.g., 139-156), the Joint Town/Village of Clayton Planning Board and the current Zoning Code.
- f) Traffic and Circulation:
- i. Road patterns/alignments shall be responsive to the preservation of the site's existing landforms, vegetation, streams and scenic vistas. All of which are subject to the discretion of the Joint Town/Village of Clayton Planning Board
 - ii. Entrances must also be located to allow safe line-of-sight distances to and from their points of intersection with public roads;
 - iii. Internal road widths and corner radii must facilitate movement of emergency vehicles;
 - iv. There should be adequate storage areas for snow that will not

- interfere with sight distance at intersections or pedestrian movement;
- v. Special consideration should be given to pedestrian movement from the standpoint of safety, convenience, walkability, and amenity. Sidewalks, curbs and gutters should be considered in the design of the overall circulation system. All facilities/sites shall be connected by a pedestrian system of walks and/or trails; and
 - vi. Highway cuts shall be kept at a minimum. Use of shared driveway accesses and internal access connections among adjacent businesses are favored over excessive numbers of individual curb cuts with no connections.
- g) Density: The Joint Town/Village of Clayton Planning Board shall determine the maximum residential density for the residential portions of the Planned Development District. Density increases consistent with the Town/Village of the Clayton Comprehensive Plan may be allowed if the proposed development can be demonstrated to adhere to the Town/Village of Clayton Comprehensive Plan elements such as affordable housing, natural resource protection, sustainable building design and land use regulations. Increased residential densities and open space areas may be subject to additional design conditions to meet Comprehensive Plan goals. Zoning and subdivision standards relating to lot size and setback may be modified when the Planned Development District is submitted for approval. The Joint Town/Village of Clayton Planning Board shall recommend the maximum residential density permitted for the residential portions of the Planned Development District at the time of the pre-application project plan. The buildable area must be unencumbered by setbacks, public easements and other physical constraints (such as topography or similar features).
- h) Open Space: The Planned Development District shall have a minimum of sixty (60) % of the total area of the tract designated as open space in the general project plan and land use maps. In a Planned Development District "open space" is that outdoor property not occupied by structures, roads or service areas and set aside in whole or in part to preserve the natural scenic beauty or openness of the area or for recreational use and enjoyment by the owners, residents and the general public. "Developed open space" is that open space which contains such structures, improvements, and/or landscaping as are necessary and appropriate for the benefit and enjoyment of the owners, residents and community members pursuing their active and passive recreational activities. Vehicular parking areas for recreational use only may be considered as developed open space for the purposes of this Section.

- i) Homeowners' Association: A homeowners' association or similar organization must be created if the Planned Development District includes common open space. The applicant shall submit all required homeowners' association documents for legal and planning review at the time of the first final plat of development, including the following:
 - i. Ownership and membership requirements;
 - ii. Articles of incorporation and by-laws;
 - iii. Time at which the developer turns the association over to the homeowners;
 - iv. Approximate monthly or yearly association fees for the homeowners;
 - v. Specific listing of items owned in common including such items as roads, recreation facilities, parking, common open space grounds and utilities; and
 - vi. Management plan for items owned in common.
2. The Joint Town/Village of Clayton Planning Board shall use the Site Plan Review Approval procedure specified in §235-13 of the Code of the Town of Clayton for reviewing POD applications and subsequent zoning map changes. The process leading to the zoning map amendment for a POD includes a pre-application meeting, the submission of a completed set of the proposed PDD elements, the technical review of the Plan as noted in Section 235-13 and Article V and Article VIII of the Village of Clayton Zoning Law (depending on site location), Joint Town/Village of Clayton Planning Board approval, an application to amend the zoning map, a public hearing to amend the zoning map and the adoption of the zoning map amendment. Additionally, the proposed POD shall be consistent with the pertinent goals as noted in the Joint Town/Village of Clayton Comprehensive Plan and the Joint Town/Village of Clayton LWRP:
- a) Future development in the Town of Clayton will only occur in designated areas and will be compatible with existing architectural features, i.e., roof styles, massing.
 - b) Support and assist in the preservation of historic resources, cultural resources, properties and structures within the Town of Clayton. Existing character features such as roadside trees, stone walls, tree lines, fence rows (which often have trees and fences), should be preserved or disturbed as little as possible per the Land Use Development Considerations section of the Town/Village of Clayton Comprehensive Plan.
 - c) Build on community character to expand economic opportunities.
 - d) Provide a range of housing types to meet the needs of year-round,

seasonal, workforce, retiree and elderly to allow residents and families to flourish in their desired community.

- e) Maintain mixed land uses to increase open space and to establish a sustainable development pattern that supports alternative forms of transportation (walking, biking) while still accommodating the automobile.
- f) Preserve and protect open space, agricultural communities and the distinct character areas that define the Clayton Community.
- g) Facilitate the Town of Clayton community character regarding our waterways, transportation corridors, structures and natural features.
- h) Consider compatible renewable energy systems in appropriate locations as identified by the community and consistent with local solar legislation.
- i) Utilize natural landscape screening to minimize scenic impacts.

C. Application Procedure

1. Any request to establish a Planned Development District shall be considered an amendment to Chapter 235 of the Code of the Town of Clayton and shall be administered and processed in accordance with the regulations set forth in Section 235-17. Proposals will be carefully reviewed for consistency with the creative residential and creative commercial land use development considerations found in Chapter 12, pages 139-157 of the Town/Village of Clayton Comprehensive Plan.
 - a) Application for the establishment of a Planned Development District shall be made to the Town Board of the Town of Clayton by the owner (s) of the property to be included in the District. The Town Board shall refer the application with attached comments to the Joint Town/Village of Clayton Planning Board within thirty (30) working days of receipt of such an application.
 - b) Within forty-five (45) days following Town Board referral, a pre-application meeting shall be convened by the Joint Town/Village of Clayton Planning Board and the applicant to acquaint the Board with the proposed development. At that time, the Board will offer comments regarding the project and identify areas of concern and/or the need for additional documentation. The applicant must provide a preliminary development plan that will enable the Joint/Town Village of Clayton Planning Board to evaluate said proposal based on the procedural requirements of Section 235-13 and this Section. The preliminary development plan shall include the following information in addition to any other documentation the Joint Town/Village of Clayton Planning Board may deem necessary:

- i. A general layout of the development/project plan;
 - ii. Analysis of the physical characteristics and features of the site
 - iii. Gross and net densities;
 - iv. A footprint of the numbers, types and locations of all structures;
 - v. Analysis of the development site in relationship to surrounding land use;
 - vi. Landscaping plan;
 - vii. Lighting plan;
 - viii. Relationship to the community at large;
 - ix. General traffic circulation, identification of streets;
 - x. Soil analysis;
 - xi. Existing Topographic mapping at 2 (two) feet of elevation;
 - xii. Architect's preliminary design elevations for all structures and preliminary grading plan (5 ft. maximum contoured);
 - xiii. Completion of the SEQR process;
 - xiv. Statement of sustainability elements; and
 - xv. Proposed utility systems inclusive of sanitary/storm water plan.
- c) The Joint Town/Village of Clayton Planning Board at a regularly scheduled meeting must meet with the applicant within thirty (30) days of the submission of the preliminary documentation, including the resubmission of a supplemental Pre-application and the completion of the associated review process. Within ninety (90) working days of said meeting, the Joint Town/Village of Clayton Planning Board must render a recommendation of approval, approval with modifications, or disapproval of the application to the Town Board of the Town of Clayton. The Joint Town/Village of Clayton Planning Board shall base their decision upon the development's ability to meet the Site Plan Review standards noted in Section 235-13 and its alignment with the Joint Town/Village of Clayton Comprehensive Plan.
- d) In determining its recommendation on the proposed development plan, the Joint Town/Village of Clayton Planning Board shall have determined that the need and location of the proposed development are consistent with the Joint Town/Village of Clayton Comprehensive Plan and is acceptable in its relationship to contiguous land uses. An evaluation of the proposed plan shall include a review of possible negative impacts on adjacent properties, on public services, on the historic character of the area and the scenic vistas important to the community.
- e) The Joint Town/Village of Clayton Planning Board shall review the

final development plan and assign conditions as deemed appropriate and shall forward the plan to the Town Board of the Town of Clayton for their review and legislative action (see Section 235-17).

- f) If such an amendment is enacted, the permitted development must be confined to the specific designated area and adhere to the approved development plan and permit approval conditions.
 - g) The Town Board and the Joint Planning Board are authorized to seek professional consultation/services when reviewing applications for a Planned Development District including but not limited to professional engineers, licensed architects and attorneys. Fees for such services in connection with any such application shall be borne by the applicant and must be paid prior to the issuance of a final determination by the Town Board on the application.
 - h) The Town Board shall require a performance bond(s) to cover the related Town costs incurred for the development as well as to ensure completion by the applicant of all necessary infrastructure such as water and sewer facilities and roads, including the resubmission of a supplemental pre-application and the completion of the associated review process. The amount (s) of the performance bond (s) shall be determined by a Town professional engineer, licensed architect or attorney. The bond (s) titles shall be set forth by the Town Board as part of its determination of the application.
2. A Planned Development District that is in effect shall only be expanded with original permits granted. Expansions requiring new permit action shall undergo the site plan review procedure of Section 235-13 and this Section. However, minor changes in the Planned Development District may be approved by the Joint Town/Village of Clayton Zoning Enforcement Officer provided that such changes:
- a) Do not increase densities;
 - b) Do not change the outside exterior boundaries or height limitations;
 - c) Do not increase the intensity of land use;
 - d) Do not materially change the location or amount of land devoted to specific land uses; e) May include, but not limited to minor shifting of buildings, proposed streets, public or private ways, utility easements, parks or other public open spaces, or other features of the plan. Minor shifting of buildings does not include encroaching into any required setback; and
 - e) Temporary construction signs within the Planned Development District which exceed the limit for temporary signs under the Town's

sign provisions may be erected for a period of one year.

3. Major changes in a Planned Development District shall require a review by the Joint Town/Village of Clayton Planning Board and an additional public hearing and shall be treated as an amendment to the proposed project. Major changes may include, but are not limited to the following:
 - a) Increase in density;
 - b) Changes in exterior boundary lines and/or height limit;
 - c) Changes in intensity of land use that may have a negative impact on the environment and contiguous land uses, including the increase in either pavement area or impervious surface area;
 - d) Changes in the location or amount of land devoted to a specific land use;
 - e) Changes that significantly alter the exterior appearance, including changes that significantly alter project landscaping; and
 - f) Changes that significantly alter project landscaping.

D. Inter-municipal Agreement

1. Proposed Planned Development Districts that overlap the municipal boundaries of the Town and Village of Clayton either contiguous or non-contiguous shall be subject to an inter-municipal agreement tailored to that specific proposal.
2. The inter-municipal agreement may address the Transfer of Development Rights in accordance with Town Law Section 261-A and Village Law Section 7-701. This action would also be development dependent.

E. Residential and Small Retail Development

1. A Neighborhood Development District (NOD) is a type of Planned Development District that focuses on building well-planned housing or small retail development. It is a pedestrian-oriented concept which provides an alternative to highway-based suburban sprawl. A NOD is an overlay district to accommodate development as an alternative to single unit low density developments which tend to use space less efficiently. The requirements for creating a NOD will entail this section, the Local Waterfront Revitalization Plan, the Joint Town/Village of Clayton Comprehensive Plan and pertinent Town of Clayton Zoning/Planning Codes.
2. An application to rezone property in preparation of a NOD Plan for the project site and proposal shall require the approval of the Joint Town/Village of Clayton Planning Board. Additionally, it must be in

accordance with the Joint Town/Village of Clayton Comprehensive Plan. The filing of such an application is a pronouncement by the applicant of intent to adhere to a higher standard of design and to place a premium upon the long-term livability and attendant value appreciation of said development. It is also an acknowledgment that the developer will assume the risks inherent in the up-front costs in order to discourage sprawl.

3. Pre-Application Meeting: A pre-application meeting shall be convened by the Joint Town/Village of Clayton Planning Board and the applicant to acquaint the Board with the proposed development. At that time, the Board will offer comments regarding the project and identify areas of concern and/or the need for additional documentation.
4. Neighborhood Meetings: (if warranted): The applicant is encouraged to conduct an informative presentation/charrette at which residents and property owners in and near the affected property are invited to participate.
5. Neighborhood District Submissions: The proposed Neighborhood District Development Plan shall include these elements (see C-1b).
6. Review of the proposed Neighborhood Development District Plan by the Joint Town/Village of Clayton Planning Board for adherence to this section and pertinent sections of the Town of Clayton Zoning/Planning Code.
7. The Joint Town/Village of Clayton Planning Board will conduct a public hearing and consider for adoption the proposed Neighborhood Development District.

F. Rezoning To A Neighborhood Development District

1. Submission of Rezoning Application: Any time after the submission of a proposed Neighborhood Development District Plan, a rezoning application may be submitted to the Town Board to request designation of a Neighborhood Development District. The Neighborhood Development District boundaries need not be coterminous with the boundaries of the Neighborhood planning area.
2. Application Contents: A completed application for a zoning map amendment to establish or enlarge a Neighborhood Development District shall consist of the following elements:
 - a) A rezoning application prepared in accordance with Section 235-17;
 - and

- b) The Neighborhood Development District Plan approved by the Joint Town/Village of Clayton Planning Board shall be referenced in the law granting zoning to the subject land as a Neighborhood Development District, and thenceforth that adopted Plan shall be a standard by which conformance of development within the zone is measured.

G. Conformance to the Adopted Neighborhood District Development Plan

Once the Neighborhood Development Plan has been adopted, and the area has been rezoned to the Neighborhood Development District, minor changes in the location, siting, or use of buildings or deviations from the dimensional standards as shown in the plan may be authorized by the Joint/Town Village of Clayton Planning Board if required by engineering or other circumstances not foreseen at the time of Plan adoption. It is expected that certain housing types and land uses will sell or be filled faster than others. This normal and usual occurrence shall not justify the removal of housing types and land use types from the neighborhood mix, but it may justify adjustments of the percentages of the neighborhood devoted to various uses.

H. Phased Development

Development occurring in phases shall meet the following requirements:

1. Numbering: All phases shall be shown on the adopted Neighborhood District Development Plan and numbered in the expected order of development. Changes to the order of development shall be approved by the Joint Town/Village of Clayton Planning Board.
2. Final Plat Prerequisites: No final plat for a phase of a Neighborhood District Development Plan shall be approved unless:
 - a) The construction of all common facilities included in previous phases have been started; and
 - b) There is no violation of the Neighborhood District Development Plan in any previous phase.

I. Design Guidelines for Neighborhood Development Districts

1. Neighborhood Development Architectural Standards:
 - a) The use of architectural standards is integral to the Neighborhood Development Plan as they define a heightened sense of place, character, appearance and property value;
 - b) Such standards shall be submitted at any stage of the development process for review and approval by the Joint Town/Village of Clayton Planning Board as being consistent with the Neighborhood Development Plan;

- c) A developer shall include approved architectural standards as part of the Neighborhood Development Plan;
- d) Approved architectural standards, if any, shall be enumerated in the restrictive covenants recorded prior to the first building permit, and enforced by the owners' association; and
- e) When architectural standards are employed, all architectural plans for new buildings, expansions and remodeling shall be reviewed by a Town Architect retained by the developer for conformance with the architectural standards and the Neighborhood Development Plan.

2. General Design Guidelines in the Neighborhood District:

- a) Compatibility of Design
 - i. Buildings within a block face must
 - ii. A commercial or mixed-use building must integrate its appearance with the area and shall not exceed twice the height and massing of adjacent buildings.
- b) Human Scale Design: Human scale design typically reflects the elements listed below.
 - i. Buildings should avoid long, monotonous, uninterrupted walls or roof planes. Blank, windowless walls are generally not permitted along street frontages. Where solid walls are required by building codes, the wall should be articulated by the provision of blank window openings trimmed with frames, sills, lintels, or if the building is occupied by a commercial use, by using recessed or projecting display window cases;
 - ii. Commercial structures that incorporate awnings or arcades, which may project over the sidewalk into the street right-of-way with Town/Village of Clayton Planning Board approval;
 - iii. Ground floor retail, service, restaurant and other commercial uses with display windows on a minimum of fifty percent (50%) of the first- floor front to provide views into the interior of buildings;
 - iv. Entrances and storefronts facing the street;
 - v. Doors, windows, balconies, porches and roof decks with visibility of the street and other public spaces to encourage social interaction;
 - vi. Porches generally as a significant element of the house design, located on the front or side of the dwelling; and
 - vii. Rear vehicle access from an alley as a preference. However, if a garage is oriented toward the street, it must be located a

minimum of twenty (20) feet behind the front facade of the principal structure. Freestanding garages and carport structures for multiple dwelling unit buildings must be designed to be integral with the building design and sited to avoid long and monotonous rows of garage doors and long monotonous building walls.

3. Guidelines for the Provision of Neighborhood Open Space:
The purpose of this subsection is to provide and emphasize safe and inviting traditional neighborhood urban open spaces such as -squares, parks, and greenways, and to integrate them into the neighborhood pattern for the active and passive enjoyment of neighborhood residents and their guests. Urban neighborhood open space should be planned and improved to be accessible and usable by persons living or working nearby. Urban characteristics are structured, formal and dense. Whereas, rural characteristics are more informal, complement natural features and have low density. Rural open space development should preserve wood lots, open fields, wetlands and other natural features. Except for areas designated as preserves, it should be cleared of underbrush and debris and may contain one or more of the following or similar improvements: landscaping, walks, benches, seating areas, fountains, ponds, ballfields, trails and playground equipment. In all cases stands of trees, streamside areas and other valuable topographic features should be preserved within the open space areas.

SECTION 4. SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State.