

TOWN OF CLAVERACK
PLANNING BOARD
Meeting Minutes: April 1, 2013

APPROVED 5/6/13

Chairman Stephen Hook called the April 1, 2013 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were: Chairman Stephen Hook, Brian Goodrich, Scott Cole, Gretchen Stearns, Virginia Ambrose, Nathan Chess, attorney Rob Fitzsimmons, engineer Paul McCreary, and secretary Jodi Keyser

Absent: Judy Zink

Correspondence: None

Planning Board members reviewed the minutes of the March 4, 2013 meeting. Gretchen Stearns made some corrections to the minutes of the Big Up reflecting the conditions and to a minor grammatical error.

Motion to accept the revised minutes was made by Scott Cole with a second from Virginia Ambrose. All members were in favor. Motion carried. Corrected minutes were accepted.

CONTINUING APPLICATIONS:

Finck, Thomas dba Finck Realty: Tax Map #(SBL)101 . – 1 – 68 Located at 793 Rte. 66 Hudson, corner of NYS Rte. 66 & NYS Rte. 9-H. Site Plan Review for the construction of a new multi-use strip mall.

Mr. Finck did not appear for the application.

Wright, Samuel & Levy, Zach dba/Shireworks Productions Inc.: Tax Map #(SBL)123 . – 2 – 01 . 120 Located at 2177 County Rte. 11. Request for a Special Exception Use for a temporary music, art, and camping festival. Jackie Eaton and Matt Griesemer replacing Paul Freeman were present for the application. Rob Fitzsimmons informed the applicant that the TOC has formed an oversight committee consisting of members of the Planning Board, TOC Board, and TOC CEO to keep current with the Big Up festival planning. Rob Fitzsimmons informed the applicant's representatives that an issue has presented regarding the stream and wetlands. Rob Fitzsimmons continued that at the March meeting neither the applicant nor Planning Board members were sure about the classification of the stream and impacts to the stream. Rob Fitzsimmons informed the Board that TOC engineer Paul McCreary from Morris Associates has examined this issue. Mr. McCreary discovered that the stream is a class C trout spawning stream. The sensitivity and regulations regarding these streams is primarily with regard to disturbance through construction (permanent or temporary) in the banks and bed of the stream. In addition to the stream Mr. McCreary found that there is an area of wetland to the west of the property that is a NYSDEC Wetland CK-8. Based upon the on-line mapping available from the NYSDEC, a portion of that wetland may be on the property. The NYSDEC's mapping does indicate that the wetland "check zone" is definitely on the Big Up property. Mr. McCreary continued that New York's freshwater wetlands maps only show the approximate location of the actual wetland boundaries and they are not precise, regardless of how closely you zoom in on the map. Mr. McCreary explained that the "check zone" is an area around the mapped wetland in which the actual wetland may occur. If someone is proposing a project that may encroach into this area, they should check with the regional DEC office to make sure where the actual wetland boundary is. If necessary, they may have a biologist come out and perform a field delineation to help avoid impacts in the wetland or the regulated 100-foot adjacent zone. Gretchen Stearns stated that the other stream on the property is also classified as a Class-C stream only. Nathan Chess

explained the differences of Class-C and Class C (TS) streams. Paul McCreary recommended that both of the streams are NYS DEC regulated streams and that it is up to the NYS DEC to determine and make recommendations regarding regulations. Ms. Eaton asked if it is up to the promoters to contact the NYS DEC. Gretchen Stearns informed the applicants that the NYS DEC has been in contact with the Town of Claverack and the TOC Code Enforcement Officer and CC DOH Tara Becker regarding this issue. Ms. Stearns continued that the NYS DEC representative Trish Gabriel has scheduled a site visit for April 18th. Ms. Eaton stated that she will contact Mr. Wright to coordinate and plan the visit and get his permission to do a visit. Rob Fitzsimmons informed Ms. Eaton that this is a coordinated visit with NYS DEC, Mr. Wright, TOC CEO Stan Koloski and the TOC Oversight committee. Stan Koloski informed Ms. Eaton that Bob Preusser is the liaison for the TOC with the NYS DEC and it is not necessary to coordinate with the owner to fit his schedule but they will ask for permission to visit the site. Stan Koloski continued that delay in the visit will stop the progress of any permits. Gretchen Stearns informed the applicant that the NYS DEC is making the visit to view the wetlands. Brian Goodrich informed the applicant that the Woods Stage appears closer than 100 feet. Paul McCreary stated that it is not a NYS DEC requirement to remain 100 feet from the stream. Gretchen Stearns stated that the TOC Code for RA and RC Districts state no structures within 100 feet of a stream. Ms. Eaton asked if that refers to permanent or temporary structures. Stan Koloski stated that it refers to both temporary and permanent structure and any construction. Nathan Chess asked if people camping in the Woods Camping required crossing over the Agawamuck creek. Rob Fitzsimmons stated that the site is subject to a NYS DEC mining plan and they are aware that trucks cross. Ms. Eaton stated that she will contact property owner Sam Wright to get permission for the April 18th DEC visit and will contact Trish Gabriel with the NYS DEC. Rob Fitzsimmons gave Ms. Eaton the contact information for Trish Gabriel and a listing of the TOC Big Up Oversight Committee members. Gretchen Stearns informed Ms. Eaton that there are several issues that she has discovered those being the Full EAF was flawed due to inaccurate information provided by the applicant, the applicant inaccurately declared that the property was not within an Agricultural District and it actually is, Agawamauck Stream is a NYS DEC Classified Class C (TS) stream, and the 100 year flood plain exists on the site but is not delineated on the Site Plan. Gretchen Stearns continued that she researched the possibility of rescinding the negative declaration of the SEQRA and found NYS SEQR law Section 617.7 (f) Rescission of negative declarations: "At any time prior to decision to approve an action, a lead agency must rescind a negative declaration when substantive changes are proposed or new information is discovered." Gretchen Stearns continued that by rescinding the negative declaration for the SEQRA we will also void the preliminary conditional approval of the Special Exception Use. Ms. Stearns stated that she advises that since we have discovered this as an issue that could possibly be subject to mitigation we can possibly reorganize some of the planned activities due to the proximity to the stream and wetlands, with a goal to prevent wetland disturbances or stream impacts. On this issue, the Building Department has been contacted by NYS DEC who is familiar with the site due to Sam Wright's mining permits, and they are familiar with the area. Meaning these issues may have been vetted as part of his mining operations. Ms. Stearns continued that possible mitigation might be to construct a bridge over the Agawamuck Creek or not allow for the Woods Camping on the other side of the creek. Gretchen Stearns continued that the Planning Board first needs a corrected FEAF, a new public hearing, another SEQRA vote, etc. Nathan Chess stated that this is an unlisted type of action which gives the TOC Planning Board the ability to do a conditioned negative declaration. Matt Griesemer stated that the wetland issue was looked at and after reviewing the maps it was decided that the wetlands were not on the property. Mr. Griesemer continued that if he understands the process correctly then the NYS DEC will determine the wetlands and the 100 foot no disturbance area. Gretchen Stearns also added that the truck parking is within the 100-year flood plain. Nathan Chess stated that parking of equipment or storage of construction equipment is not allowed within a flood plain. Mr. Chess continued by instructing the applicant to check the information available on the TOC website Comprehensive Plan GIS map which represents the flood plain in purple. Ms. Eaton stated that she thought that the property is zoned RC and did not think that it was agricultural. Rob Fitzsimmon informed the applicant that the

Agricultural Districts are set by the County and not the Town and he advised to get the Ag Data Statement to the Planning Board Secretary ASAP. Gretchen Stearns stated that SEQRA Law states that it must rescind the previous negative declaration, and can do so because the applicant has not yet received final approval. Ms. Stearns continued that the TOC Planning Board has specified modifications and a modified site plan should be submitted. Nathan Chess stated that the preliminary approval did not give the applicant permission to start to sell tickets to the event. Matt Griesemer stated that the applicant and his office felt that the preliminary approval did afford the promoters to start selling tickets. Rob Fitzsimmons informed the Board that they do not have the jurisdiction to tell the applicant that they can or cannot sell tickets because it is up to many factors. Ms. Eaton stated that they will amend the application and do whatever they need to do because they are going ahead with the festival at this site. Gretchen Stearns stated for clarity: if final conditional approval is given, the scope of that approval of the Special Exception for this property will consist of allowing this one event for four days in August this one time only at which point the SE use permit for the property will expire and for renewal of the SE use for this property, the renewal requirement and procedure set out in section 16.14.6 shall be in effect. Ms. Eaton stated that she thought that the Special Exception Use for the festival was granted at the March meeting. Gretchen Stearns informed the applicant that the Special Exception Use Approval will also require a post event meeting to address the pros and cons of the event and that the approval is limited to this one event to be held on this one specified weekend in August 2013. Nathan Chess stated that the Preliminary Approval was flawed because the list of abutters supplied by the applicant was inaccurate and missed some owners, such as NYS, Cindy and Andrew Wright, Robyn Goodman and Anna Louizos etc. Mr. Chess continued that it is up to the applicant to be sure that every abutter is notified so in his opinion the application is incomplete. Rob Fitzsimmons informed the applicant that the Ag District requires that all abutters within 500 feet receive notification of any proposals. Nathan Chess informed the applicant that the abutter information is easily accessible on line and is a requirement of both the Ag Data statement and NYS Ag Data 305-a. Gretchen Stearns stated that TOC Zoning Regulation §16.13.4 states “The Planning Board shall mail copies of the public hearing notice at least five (5) business days prior to the public hearing, or as otherwise required to by state law to the applicant, involved agencies, and as otherwise required by SEQRA, and to all owners of land within five hundred (500) feet of a farm operation located in a New York State Agricultural District as identified on the Ag Data Statement provided by the applicant. In addition, the Planning Board shall send a notice of the hearing at least five business days before the date of the hearing to the owners of the property abutting that held by the applicant. Such notice shall be by ordinary mail, and, at the discretion of the Planning Board, the Secretary of the Planning Board or the applicant, shall furnish proof of compliance with the notification procedure, all costs required and fees assessed by the Secretary of the Planning Board, to be borne by the applicant pursuant to Local Law #4 of 2007.” Ms. Stearns continued that it is important to follow the laws and not to let these issues slide. Ms. Eaton stated that she felt that she had done her due diligence and checked the abutters list, submitted a Full EAF as requested and is frustrated with the process. Nathan Chess stated that all applicants need to follow the TOC laws, NYS DEC, CC DOH, and NYS Agricultural and Markets laws and the TOC Planning Board is there to make sure that everything is followed. Mr. Chess continued that he wants to see this festival happen but needs to be sure that “i”s are dotted and “t”s are crossed to protect the residents of the Town of Claverack. Ms. Eaton stated that she will fix what she needs to fix because the festival will happen. Ms. Eaton then asked if she gets the list of abutters within the 500 feet buffer will that open the public hearing again. Rob Fitzsimmons addressed the question to the Planning Board asking if they are going to reset for public hearing then the applicant will need to modify the plan with NYS DEC, fix the Long EAF form, and then take public hearing on the any new issues. That was the consensus of the Planning Board members. Gretchen Stearns stated that the applicant needs to provide a complete revised Site Plan following the rules in the TOC Zoning Code for a Full Site Plan as well as the conditions previously set. Ms. Stearns continued that the applicant needs to provide a Full Site Plan showing the details of wetlands, flood plain, abutters of 500 feet, buildings within the 100 year flood plain, walkways and ramps, lighting, soil erosion, C & D waste disposal, Ag Data Statement, and structures. Stan

Koloski added that the Site Plan needs to show the dimensions of all structures. Ms. Eaton then stated that she thought that the dimensions of the structures was only required for the building permits. Stan Koloski informed the applicant that the TOC Planning Board needs to approve the site, size, and locations of all structures for the Site Plan. Ms. Eaton stated that she again thought that she had the approval and is now trying to understand these added requirements. Gretchen Stearns informed Ms. Eaton to follow the TOC Zoning Laws and the NYS Laws and that the TOC Planning Board understands that this process can be daunting but is required. Nathan Chess added that the CC DOH and the CC Planning Board are on the same page with the TOC Planning Board. Paul McCreary added as a matter of clarification for all parties the official Site Plan map should show exterior elevations and there is no need for a full architectural drawing. Mr. McCreary continued that a cut sheet for the stage, tents, store, etc. is needed for the Planning Board review. Gretchen Stearns added that the details for the structures are needed to help the TOC engineer determine the safety of the structures. Matt Griesemer stated that the festival is a temporary use with temporary structures and now it has an oversight committee formed by the Town of Claverack. Mr. Griesemer continued that the applicant should be present at the oversight workshop to find out the issues and so that the applicant knows what they need to provide prior to the Planning Board meetings. Nathan Chess informed the applicant that the TOC has not dealt with this type of use before and the Planning Board along with the Town Board needs to be sure that they get everything 100% right. Gretchen Stearns added that the TOC Planning Board was responding to the applicant's urgency, but it is very important to do a full review. Rob Fitzsimmons informed the applicant that they need to submit a Full Site Plan map as required, set up escrow account with the TOC, camping lot sizes with exact parking plan, and address the wetland and stream issues. Rob Fitzsimmons continued that NYSDOH regulations that a waiver is allowed as to size, if the camping is less than 60 hours, this event is planned for 72 hours. If non waiver sizes are required (1260 sq. feet per area) it would allow 303 +/- car camps. If the waiver is granted as anticipated, (385 sq. feet per area) then it would allow the anticipated 1010 +/- car camps. Nathan Chess added that the parking plan should also include the recreational vehicles. Paul McCreary stated that given the applicant will be corresponding with several different agencies the TOC Planning Board will need copies of all correspondences pertaining to the festival. Ms. Eaton asked how she should get the correspondence items to the Planning Board. Ms. Eaton also stated that the security plan, evacuation route, and water supplies were submitted and are confidential. Rob Fitzsimmons informed the Board that this is normal procedure as with the county emergency plans they are kept secret to protect the public. Gretchen Stearns stated that TOC Planning Board should know the details of the EMS and evacuation plan. Nathan Chess agreed and added that the plans could be sent to the Planning Board members via email. Stan Koloski stated that he does not agree with sending these types of plans via the internet because it opens the plans to being spread everywhere with ease. Stan Koloski continued that the chief security official for the County will review the plan and either approve or ask for additional measures but it is up to him to make that call. Gretchen Stearns stated that she would like to read the security measures and feels that it is important for the TOC Planning Board to be aware of them. Stan Koloski informed the Planning Board members that they should make a list of the items they would like to review whether confidential or not. Rob Fitzsimmons stated that the TOC Planning Board does not have the jurisdiction to determine the security procedures only what is under the TOC Zoning laws. Rob Fitzsimmons continued that the TOC Planning Board cannot determine what security or EMS procedures are approved only to set the amount of escrow to cover the cost of added security needed or required. Rob Fitzsimmons added that the TOC Planning Board can request solid letters of approval from all of the county agencies required for EMS and security. Nathan Chess stated that he felt the TOC Planning Board should review all of the safety plans. Rob Fitzsimmons informed the Board that if the CC Fire Coordinator and the CC EMS Coordinator approved the plan the TOC Planning Board would not have the authority to amend the plans. Ms. Eaton informed the Board that the CC Fire Coordinator, CC EMS Coordinator, and the CC Sheriff reviewed the safety plan at the January 2013 meeting and sent in letters of approval. Gretchen Stearns informed Ms. Eaton that the letters did not state approval for the plans only that the agencies attended the meeting. Ms. Eaton stated that the CC DOH is the lead agency for the

application and the approval letter from them is an approval of all of these agencies together. Matt Griesemer informed the Board that he talked with the CC Sheriff and he stated that his office does not usually send out approval letters. Gretchen Stearns added that it is up to the TOC Planning Board to make sure that experts have reviewed the plans. Paul McCreary stated that requesting letters of approval from these agencies is legitimate. Nathan Chess stated that the CCDOH is not an expert on security and the TOC has the option to hire experts to review and consult the TOC on the review. Ms. Eaton stated that the CCDOH requires the plans and they approve so why is the TOC Planning Board implementing another level of oversight. Gretchen Stearns stated that the TOC Planning Board needs to protect the Town of Claverack and that might require that experts review and comment on the plans. Paul McCreary stated that this might put a hitch in the wagon but would the TOC Planning Board be willing to allow the CC Sheriff's office review and then send a letter to the TOC Planning Board stating that they have reviewed the plans and found them acceptable. Ms. Eaton stated that she will meet with CC EMS, CC Sheriff, and CC Fire approximately 3 weeks prior to the event to finalize the plan so getting a letter of approval might not happen until then. Ms. Eaton informed the Board that the TOC Supervisor Robin Andrews was also present at the January 2013 meeting and everyone there was fine with everything. Gretchen Stearns stated that Ms. Eaton was not correct with making that statement because she has been in contact with CC EMS Coordinator P. J. Keeler who informed her that he was only asked to sign a letter stating that he attended the first meeting but he did have some concerns about the plan. Matt Griesemer then stated that the TOC Planning Board is overstepping their jurisdiction. Gretchen Stearns then stated that previous festivals have had issues and she does not want someone hurt or to have someone die. Gretchen Stearns continued that the TOC would not want to be sorry afterwards and the TOC Planning Board should know the exact details of the safety and security of the event. Ms. Stearns added that she understands where the applicant is coming from as far as confidentiality but the TOC needs to protect the residents and festival goers. Nathan Chess added that the Planning Board should be allowed to review all of the plans. Matt Griesemer stated for the record that he objects to any other review of the safety and security plan by the TOC Planning Board because it is out of their jurisdiction. Rob Fitzsimmons stated that the TOC Planning Board cannot require the applicant to pay for experts to review the security plan and the objection is duly noted. Rob Fitzsimmons continued that the lighting plan is missing from the original site plan and needs to be fully addressed in the revised Site Plan. Nathan Chess added that the types and sizes of all generators should be included with the lighting plan. Ms. Eaton informed the Board that the generators will be silent because the plan to use stage/film quality generators. Brian Goodrich stated that storage of the fuel for the generators should be included in the revised Site Plan. Rob Fitzsimmons asked Paul McCreary if a \$5,000.00 escrow account would be feasible. Paul McCreary stated that amount is on the low side. Scott Cole stated that he felt the escrow should be within the \$12,000.00 to \$15,000.00 range. Gretchen Stearns asked about the reclamation bond. Rob Fitzsimmons stated that he would hold the escrow at \$5,000.00 and the applicant will receive itemized bills from the TOC and will advise if the account is getting too low. Rob Fitzsimmons continued that the festival is taking place on private property and the TOC cannot require reclamation money. Rob Fitzsimmons continued that if there is trash on public roadway and Stever's Crossing is a TOC roadway and TOC Highway Superintendent should be consulted as to truck traffic and the possibility of damage from large trucks. Stan Koloski asked about trash being blown onto neighboring properties. Ms. Eaton stated that the clean-up crew will clean up the site, neighboring properties, and roadways if necessary. Gretchen Stearns, Nathan Chess, and Virginia Ambrose all agreed that the neighbors, stream and the wear and tear on the TOC roadway all need to be protected. Rob Fitzsimmons instructed Ms. Eaton to add to the Site Plan the number of members of the clean-up crew, amount of hours to clean, and the cost of the clean up the area. Rob Fitzsimmons added that Ms. Eaton should find out the estimated dollar cost of the CC Sheriff's office bill because they will send the bill directly to the TOC. Gretchen Stearns asked Ms. Eaton if she has a plan if she does not receive the camping waiver from the NYS DOH because the extra space and the wetlands might make the camping area smaller allowing for fewer camping spaces. Gretchen Stearns continued and asked how many tickets have been sold to this point. Ms. Eaton stated that approximately 310 tickets have

been sold. Nathan Chess suggested that Ms. Eaton talk to Premium Packaging and the Casting Company to possibly contract for parking space for the large trucks. Ms. Eaton stated that there is only one large truck. Gretchen Stearns then asked the amount of liability insurance and if the TOC is named on the policy. Rob Fitzsimmons informed the Board that the TOC is not named as an additional insured on the policy because the festival is taking place on private property. Rob Fitzsimmons continued that the amount of the liability insurance is totally up to Sam Wright but he feels that the amount set is a bit light. Nathan Chess then asked if something goes wrong could the TOC be named in a law suit. Rob Fitzsimmons stated that the TOC cannot require the applicant to purchase additional coverage but they can advise if the coverage is not adequate. Gretchen Stearns questioned the 4.9 acre concert field's location. Ms. Eaton stated that they will use the hay field and the natural amphitheater that is formed by the shale bank. Gretchen Stearns then addressed that the plan appears to have only one exit from the concert stage area which is a potential problem. Ms. Stearns continued that the plan also allows approximately 4.5 feet per person and NYS regulations calls for a larger area. Ms. Eaton stated that the NYS regulations are for a mass gathering and this is just under that threshold because it is limited to 4999 people in attendance. Gretchen Stearns then asked for the TOC CEO opinion. Stan Koloski stated that he has spoken to Joe McGrath of the NYS DOH and he informed Mr. Koloski that if the space is an open outside area then there is no restriction but if the event is held inside or in a tent then the NYS DOH and TOC have the jurisdiction to limit the amount of people because of fire code. Ms. Eaton informed the Board that the tent is very large and the tent capacity is 6 square feet per person but the tent they are using will allow for 12 – 15 square feet per person. Brian Goodrich stated that the one exit from the concert field is a concern. Ms. Eaton stated that they have drop gates scattered along the fence line to allow for more exits in case of an emergency. Nathan Chess informed Ms. Eaton that these drop gates need to be shown on the revised Site Plan Map. Ms. Eaton stated that she will make that addition. Brian Goodrich stated that he has a concern with the breakaway fence because it looks difficult to find. Mr. Goodrich continued that he would like to see an EMS on site visit. Ms. Eaton stated that they have scheduled June 4, 2013 for walk through with all of the county agencies as well as the April 18th visit. Brian Goodrich continued that he would want the applicant to assure the Planning Board that no one, even performers will be using pyrotechnics. Ms. Eaton stated that pyrotechnics will not be allowed by anyone, not the performers or the festival goers. Nathan Chess stated that he understands that no open fires will be allowed. Ms. Eaton stated that she would like to have one large bon fire. Nathan Chess continued that he also has a concern with 20 pound propane tanks. Ms. Eaton explained that there will be a separate area for RVs and campers with grills and that everyone with a grill is required to have a fire extinguisher or will need to purchase an extinguisher from the festival store. Brian Goodrich stated that the on-site hospital will need to gather specifics as to the number, type, severity, and how many people required transportation to the hospital. Brian Goodrich continued that that information should also detail the number of drug incidents and the type of drugs. Ms. Eaton stated that this information is a requirement and that she will make a report to the post-festival meeting but she is not required to do so. Stephen Hook stated that the applicant has some homework to do and should coordinate with the oversight committee to set up a workshop. Items needing attention are:

1. Permission form for DEC site visit on 4/18/13 at 1:00 p.m. was provided to applicant for landowner's signature. A similar form from the Town will be sent to landowner to cover oversight committee members (Bob Preusser will obtain from Louie Lamont and get to landowner).
2. The names/titles of the oversight committee members will be shared with the applicant. Gretchen Stearns and Katy Cashen agreed to serve as oversight committee liaisons with the applicant.
3. Applicant told that DEC site visit on 4/18 will determine any environmental issues (if any) that need to be mitigated based on the layout of the festival and placement of camping sites, stages, parking, lighting, generators, walking paths, etc. The applicant was informed that their full site plan will need to undergo a second SEQRA review and public hearing to address any issues that were not included in the first SEQRA review or that have come up because of additional new information. The applicant was instructed to submit a revised Long Form SEQRA.

4. As part of the public hearing, because the property is within an Agricultural District, additional neighbors will have to be notified (500 ft. of the property) by the applicant, as well as any neighbors that were missed in the first notification.
 5. The applicant was notified that a full site plan application for the event is required to be submitted to the town for review by the Building Inspector first (for completeness) and then to the Planning Board for review and approval. (See Section 16.10.1 for detailed requirements of the full site plan.) It was agreed that some of the requirements for detailed architecture drawings could be submitted as "cutouts" accompanying the map due to the fact that the buildings/tents are temporary.
 6. NYSDOH waiver of the required 1250 sq. ft. /campsite vs. the 385 sq. ft. proposed by the applicant has not yet been granted, though the applicant averred that she thought that the only requirement from the State would be for a 5 ft. boundary between each car campsite. According to the applicant, ticket sales have not exceeded the amount of camping sites that would be allowed if the waiver is not granted.
 7. Copies of outside agencies' approvals/agreements will be shared with the PB clerk for review by PB members for informational purposes. There are certain plans that need to remain confidential (not for the public review) including the evacuation, emergency, security and water. The applicant stated that they did not believe that the PB has jurisdiction to question these outside agencies' acceptance or approval of the plans but Rob Fitzsimmons asked that the applicant provide solid letters of approval from all county agencies involved.
 8. Escrow Accounts: a) The issue of establishing an escrow account to cover the town's engineering and legal costs associated with this project was discussed. The applicant agreed to an initial amount of \$5,000 to be paid within 30 days of 4/1/13. b) In addition, the applicant must provide an escrow to the town to cover the expected costs of the Columbia County Sheriff's Office for the event since they bill the town for these expenses. The amount of this escrow will be provided by the applicant, based on their agreement with the Sheriff's office. c) A reclamation escrow account will be established, per agreement at the 3/4/13 PB meeting to cover any clean-up damages on surrounding neighbors and roads. The amount of this escrow account was not identified.
 9. The applicant notified the PB that they have a scheduled 6/4/13 meeting with the emergency agencies (EMS and fire) to follow-up on items that have been requested.
 10. Copies of all communications between the promoter and all agencies are required to be submitted to the TOC Planning Board.
 11. A clarification was given of the scope of any conditional approval of the SE use permit for this property and for this event, namely that it would be a conditional approval for this one event for 4 days in August this one time only, at which point the SE use permit for the property and this event will expire. Renewal of the SE use permit shall follow process detailed in Section 16.14.6. These issues were a consensus of the board.
- Continued to the May 2013 meeting.

NEW APPLICATIONS:

None

INFORMAL:

Matt Bowe presented an informal sketch plan for Ellen Henderson Rte. 66 Claverack seeking guidance for a minor 3-lot subdivision of her property.

Matt Bowe also presented a question on a previously approved subdivision for the VanWagner/Puff property on Bates Rd. Mr. Bowe explained that the owner of the property is considering a change in the previous subdivision. Mr. Bowe was instructed that the new proposal will require a formal subdivision application.

Motion to adjourn the meeting was made by Scott Cole with a second from Brian Goodrich. All members were in favor. Meeting adjourned at 9:15 p.m.

Respectfully submitted,
Jodi Keyser, Secretary