

TOWN OF CLAVERACK
PLANNING BOARD
Minutes: October 7, 2013

APPROVED 11/4/13

Members in attendance were: Brian Goodrich, Scott Cole, Judy Zink, Nathan Chess, Gretchen Stearns, attorney Rob Fitzsimmons, engineer Paul McCreary, and secretary Jodi Keyser.

Absent with regrets: Virginia Ambrose and Stephen Hook

Judy Zink made the motion to allow Brian Goodrich to act as Chairman for the meeting with a second from Nathan Chess. All members were in favor. Motion carried.

Acting Chairman Brian Goodrich called the October 7, 2013 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members reviewed the minutes of the September 5, 2013 meeting. Motion to approve the September 5, 2013 minutes as written was made by Scott Cole with a second from Judy Zink. All members were in favor with Nathan Chess abstaining. Motion carried.

CONTINUING APPLICATIONS FOR 10/7/13:

Skelley, John M. Subdivision: Tax Map #(SBL) 123 – 02 – 37, 38, 39 Located at 206 Prach Rd.

Subdivision of 8.044 acres into two parcels of 5.279 acres and 2.765 acres respectively.

Jeff Plass was present for the application. Mr. Plass informed the Planning Board that the Skelleys received an Area Variance from the Town of Claverack Zoning Board of Appeals on September 25, 2013. Mr. Plass continued that the applicants still need to obtain the CC DOH permit and the TOC Highway permit but want to move forward. Motion to classify as a two lot minor subdivision and classify as an unlisted action was made by Judy Zink with a second from Scott Cole. All members were in favor. Motion carried.

Paul McCreary informed the Board that the new Short EAF forms take effect today and if the application was submitted prior to 10/7/13 the Planning Board can use the old form but if they haven't received the form previously then the applicant will need to submit the new form. Jeff Plass informed the Board that the old short EAF form was submitted with the application many months ago. Board members determined that the old EAF short form was acceptable to use. Jeff Plass informed the Board that he will submit new maps with CCDOH and TOC Highway shown at the November meeting. Set for public hearing. Continued to the November meeting.

Ihlenburgh, Robert Family Trust: Tax Map # (SBL) 101 . 00 – 02 – 18 Located at 203 Gahbauer Rd.

Subdivision of 48.6 acres into two parcels of 41.088 acres and 5.083 acres respectively.

Robert Ihlenburgh was present for his application. Acting Chairman Brian Goodrich informed the Board and applicant that he checked the NYS DEC website and found out that the stream he mentioned at the September meeting as a Classified CT stream on Mr. Ihlenburgh's property is actually not a classified stream. Mr. Ihlenburgh informed the Board that the maps show Parcel A containing 41 +/- acres and Parcel B containing 5 +/- acres which includes his home and other buildings. Mr. Ihlenburgh continued that the property is separated by Gahbauer Rd. and that he also plans to merge the 2.4 acres on the opposite side of Gahbauer Rd. with the adjoining property owned by Mr. Martin. Mr. Ihlenburgh informed the Board that Mr. Martin eventually plans to purchase the other 41 +/- acre parcel in the future. Acting Chairman Brian Goodrich opened the meeting to public hearing at 7:25 p.m. no comments received. Rob Fitzsimmons informed Mr. Ihlenburgh that he needs to submit the deed descriptions in deed form to his office prior to the

next meeting for review. Mr. Ihlenburgh was also informed that he needs to submit the addresses for the Ag. Data form before the November meeting. Nathan Chess asked if the applicant had TOC highway permits. Rob Fitzsimmons and Mr. Ihlenburgh stated that the driveway is an existing driveway for Parcel B and that the TOC Planning Board waived the perk testing for Parcel A. Paul McCreary informed the applicant that he needs to submit the new short form EAF for the next meeting. Motion to continue public comment to the November meeting was made by Nathan Chess with a second from Judy Zink. All members were in favor. Motion carried.

Dorthea & Peter Backlund and Stacey Gallagher d.b.a Village Dodge Inc: Tax Map # (SBL) 101 . – 2 – 11 . 100 Located at 819 NYS Rte. 66. Site Plan Review for proposed changes to an existing previously approved Site Plan for an automobile dealership.

Peter Backlund was present for the application. Rob Fitzsimmons informed the Board that the application was referred to the CC Planning Board and he read the comment letter received indicating that the TOC Planning Board has the authority to make a determination and final approval for the Site Plan. Mr. Backlund submitted a new planting page to the subdivision. Rob Fitzsimmons informed the Board that this additional page was a request of the Board. Paul McCreary asked Mr. Backlund if he had checked with the NYS DOT to determine where the property line is between the state roadway and Mr. Backlund's property to assure that he does not plant in an area that NYS DOT owns. Mr. Backlund stated that he did not check with NYS DOT but will. Paul McCreary informed Mr. Backlund that he should make sure where the property line is so that he does not spend money planting shrubs that the NYS DOT could make him remove. Gretchen Stearns stated that the Toyota dealership in Ghent used shrubbery and trees along the roadway. Mr. Backlund stated that he wants his property to look good also but it also takes time to maintain the plantings so plantings that require the least amount of maintenance would be the best. Nathan Chess asked Mr. Backlund if Chrysler is requiring the changes to the dealership. Mr. Backlund stated that Chrysler started to request changes to the building a couple of years ago but he was able to hold things off because of the downturn in the economy and slower car sales. Mr. Backlund continued that things have changed now and Chrysler is now becoming more demanding of the changes. Gretchen Stearns stated that the planting changes bring the dealership closer to conforming to the Zoning codes. Mr. Backlund informed the Board that Chrysler is asking that the big sign that sits on the pylon near the corner of the building be moved closer to the roadway but if he remembers correctly it was an issue when the building was first constructed. Nathan Chess asked if moving the sign would cause a recognition issue for the dealership. Mr. Backlund stated that he has a great location and the placement of the sign would not impact the recognition. Nathan Chess asked if the sign is lit. Mr. Backlund answered yes but it has always been on a timer. Gretchen Stearns stated that she feels that the current placement of the sign is better. Mr. Backlund will let Chrysler know that moving the sign was not accepted by the Town of Claverack Planning Board. Gretchen Stearns advised Mr. Backlund to find out the right-of-way for the plantings. Mr. Backlund answered that he will check with NYS DOT but feels that the grassy area is his because of the \$17,000.00 in curbing that NYS DOT required when the building was first built.

Acting Chairman Brian Goodrich opened the application to public comment at 7:29 p.m. No comments public comment was closed at 7:30 p.m. Paul McCreary reviewed the old Short EAF form because it was submitted prior to October 7th. Paul McCreary suggested that there are no adverse environmental impacts from the project. Motion for negative declaration with regard to SEQRA was made by Nathan Chess with a second from Judy Zink. All members were in favor. Motion carried. Paul McCreary suggested that the Planning Board members clarify the plantings and the NYS DOT right-of-way if allowing the applicant to check with NYS DOT is good enough. Rob Fitzsimmons informed the Board that TOC Building Inspector and CEO will need to refer to the minutes for the application when he does his inspections for the CO. Gretchen Stearns suggested that the applicant plant shrubs along the property as allowed by NYS DOT. Paul McCreary suggested that the applicant supply the TOC Planning Board written documentation from NYS DOT regarding the right-of-way and plantings. Mr. Backlund agreed and will supply a letter from NYS

DOT. Paul McCreary also suggested that the applicant carefully select plantings that are salt tolerant because the NYS DOT uses a large amount of salt in the intersection.

Motion to approve the Site Plan was made by Scott Cole with a second from Gretchen Stearns. All members were in favor. Motion carried.

Mr. Backlund paid fees of \$7.36 for the mailing for the abutter notifications by check.

INFORMAL:

Adam Becker owns property on Preusser Rd. that has an 80ft. NYS rural conservation easement for a culvert under the property for drainage which was done in the 1950's. Mr. Becker is looking to build a home on the property but after speaking with TOC Building Inspector they were unsure of the setbacks. Rob Fitzsimmons informed the Board that surveyor Dan Russell had contacted his office regarding this issue. After some discussions and review of the maps the Town of Claverack Planning Board determined that the proposed house site will be at a setback of 80 feet measured from the edge of Preusser Rd. Secretary Jodi Keyser will relay this determination to TOC Building Department.

Acting Chairman Brian Goodrich informed the Board members that the 1st draft of the Big Up Post Review meeting is complete and will be sent via email to all TOC officials for review. Acting Chairman Goodrich continued that they will entertain comments and he will then prepare a final report. Gretchen Stearns asked if the TOC Planning Board needs to provide encouragement to the TOC Board for a mass gathering law and that the TOC Planning Board fully supports the TOC enactment of a mass gathering law.

Motion from the Town of Claverack Planning Board recommending and encouraging the Town of Claverack Town Board members to enact a mass gathering law as soon as possible and in the meantime place a moratorium on any mass current and future gatherings applications until such a law is in effect was made by Gretchen Stearns with a second from Nathan Chess. All members were in favor. Motion carried and will be relayed to the Town of Claverack Town Board via Rob Fitzsimmons.

Motion to adjourn the meeting was made by Scott Cole with a second from Judy Zink. All members were in favor. Motion carried. Meeting adjourned at 8:08 p.m.

Respectfully submitted,
Jodi Keyser, Secretary