

**TOWN OF CLAVERACK  
PLANNING BOARD  
Minutes: September 5, 2013  
7:00 p.m.**

**APPROVED 10/7/13**

**Chairman Stephen Hook called the September 5, 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, Judy Zink, Scott Cole, engineer Paul McCreary, attorney Rob Fitzsimmons, and secretary Jodi Keyser.**

**Absent: Virginia Ambrose, Nathan Chess, and Gretchen Stearns**

**Correspondence: Letter received from Creed and Clift complaint of the noise from the Big Up Music Festival.**

**Members reviewed the minutes of August 5, 2013 meeting. Motion to approve the August 5, 2013 minutes was made by Scott Cole with a second from Brian Goodrich. Motion carried.**

**CONTINUING APPLICATIONS FOR 9/5/13:**

**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.

Application is currently before the Town of Claverack Zoning Board of Appeals for an Area Variance.

**NEW APPLICATIONS FOR 9/5/13:**

**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 43.60 acres and 5 acres respectively.

Robert Ihlenburgh was present for the application. Mr. Ihlenburgh apologized for missing the August meeting he was out of town. Mr. Ihlenburgh explained that he originally had a map for a subdivision but after speaking with the Jodi Keyser he learned that one of the lots would be a substandard size so he redrew his plan. Mr. Ihlenburgh continued that he was unaware of the new TOC Zoning Laws requiring that parcels in his zone be no smaller than 5 acres. Mr. Ihlenburgh supplied new maps for the Board showing a subdivision of his 48.6 acres into two parcels of 5 acres and 43.6 acres respectively. Mr. Ihlenburgh informed the Board that his residence will be on the 5 acre parcel which will also have 150 feet of frontage on Gahbauer Rd. Mr. Ihlenburgh will lease the remaining parcel to a neighboring farm for agricultural use. Brian Goodrich asked Mr. Ihlenburgh to

delineate the wetlands, DEC Classified CTS stream, and the flood plain. Mr. Ihlenburgh informed the Board that the wetlands are no longer mapped according to NYS DEC and he is not planning to do anything close to the stream. Scott Cole asked where the well and septic are located. Mr. Ihlenburgh stated that the septic is about 400 feet off of the north line and the well is near the residence. Brian Goodrich asked about a water hydrant on the map. Mr. Ihlenburgh stated that it is a frost free hydrant that he used when he had animals. Mr. Ihlenburgh informed the Board that he leases the property on the southern side of Gahbauer Rd. to Adam Martin for agricultural use and would like to also do a boundary line adjustment to deed the property to Mr. Martin. Rob Fitzsimmons informed Mr. Ihlenburgh that he would be able to do that but he would need to contact a lawyer to have deed descriptions for the boundary line adjustment but it could be done at the same time as the subdivision. Rob Fitzsimmons then asked the Board members if they were agreeable with waiving the perk testing on the 43 acre parcel. Planning Board members were agreeable. Rob Fitzsimmons instructed Mr. Ihlenburgh how to draw new maps showing the subdivision and the boundary line adjustment. Motion to classify as a two lot minor subdivision with a boundary line adjustment and to waive the perk testing on the 43+/- acre parcel was made by Scott Cole with a second by Brian Goodrich. All members were in favor. Motion carried. Mr. Ihlenburgh was instructed to check the agricultural uses within 500 feet of his property and submit the names and addresses to the Planning Board secretary Jodi Keyser for the Ag. Data statement so notices can be mailed. Public hearing was set for October 7, 2013.

**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. Mr. Backlund is seeking a Site Plan Review for a modification of a previously approved Site Plan for his car dealership. Mr. Backlund explained that the plan is to enclose the existing carport to make office space and to relocate the parts and service department. Mr. Backlund continued that he also is required by the Dodge franchise to change the front façade of the building and relocate the entrance to the front. Mr. Backlund continued that he is adding another lift and an alignment machine. Mr. Backlund continued that a minor second story is planned for records storage because of the increasing amount of paperwork that the dealership is required to maintain. Scott Cole stated that he liked the idea and the project but would like to see plantings and shrubbery along the roadway to make the property look better because it is one of the main entrances into the Town of Claverack. Brian Goodrich agreed that some low greenery could be added so not to block the cars. Scott Cole suggested a couple of islands with plantings along the sides of the buildings. Mr. Backlund stated that he is willing to agree to plantings but the cars are his business and if they are hidden by plants they are not visible and therefore will hurt his business. Mr. Backlund also stated that the plowing snow is difficult now with the cars and if you add plantings it will be even more difficult. Scott Cole stated that he agrees that the cars should not be blocked but he wants the area to look better. Rob Fitzsimmons informed Mr. Backlund to have his architect draw some small landscaping but otherwise it is a great design. Paul McCreary asked the Planning Board members if they want a detailed

landscaping page added to the site plan or just some wording. Scott Cole suggested that a detailed landscaping design be added to the Site Plan. Paul McCreary advised Mr. Backlund to have his architect label the plantings on the landscaping design. Paul McCreary also advised Mr. Backlund to check with the NYS DOT before committing to the landscaping because they may have a right of way that prohibits plantings within a specified distance of the state roadways. Chairman Hook suggested checking with Dean Knox of the CC Highway Department for guidance also. Rob Fitzsimmons instructed the secretary to submit the application to the Columbia County Planning Board for review. Set for public hearing on October 7, 2013.

Katy Cashen handed the Planning Board members copies of the newly adopted Town of Ghent Mass Gathering Law to review to help with ideas for the Town of Claverack to design a Mass Gathering Law. Ms. Cashen informed the Board members that they should think of questions and any ideas to help the Town with the process.

#### Big Up Post Review Meeting:

Planning Board & Oversight committee member Brian Goodrich supplied the Planning Board members with copies of a list of questions that was also given to Jackie Eaton to prepare for the Big Up Post Review Meeting. Brian Goodrich explained to the Board members that he used the TOC Zoning Code Section 16.6.1 to formulate the questions. Mr. Goodrich volunteered to act as the Chairman for the Post Review meeting. Mr. Goodrich suggested setting the post review meeting in September and allowing public comment to be controlled. TOC Attorney Rob Fitzsimmons informed the Board that they are not required to allow for public comment because the same types of comments that were heard at the Site Plan Review would be made. Chairman Stephen Hook suggested controlling the public comments to allow only 3 minutes per person. Brian Goodrich stated that he feels that it would be an issue if the meeting is not open to the public. Town of Claverack Board member Katy Cashen stated that she understands Rob Fitzsimmons' suggestion but there is a perception that the public did not have adequate time to comment on the festival at the Site Plan Review and they were expecting to be able to make comments after the festival at the post review meeting. Rob Fitzsimmons stated that both sides will bring representation justifying their side which will not make any difference either way. Scott Cole stated that he has heard complaints about the noise during the hours of 2:00 am and 6:00 am. Paul McCreary informed the Board that it is more than just receiving input on whether the public is for or against the festival but the TOC needs to decide what they will use as a measuring stick to measure the gathered criteria.

Board members agreed to set the Post Review meeting for the Big Up Music Festival for 9/30/13 at 6:30 pm at the Town Hall Building. Secretary Jodi Keyser will send letters of invitation to the local agencies involved to attend the meeting or send a written report for the Board. Secretary Jodi Keyser will also notify all of the Town of Claverack officials of the meeting, send legal notice to the Register Star two weeks in advance of the meeting and place on the TOC website.

Motion to adjourn the meeting was made by Scott Cole with a second from Brian

Goodrich. All members were in favor. Meeting was adjourned at 8:10 pm.

Respectfully submitted,

Jodi Keyser, Secretary