

**TOWN OF CLAVERACK
PLANNING BOARD
Meeting Minutes: May 5, 2014
7:00 p.m.**

APPROVED 6/2/14

Chairman Brian Goodrich called the May 5, 2014 Town of Claverack Planning Board meeting to order at 7:00 p.m.

Members in attendance were: Chairman Brian Goodrich, Judy Zink, Virginia Ambrose, Scott Cole, Nathan Chess, Rick Gerlach, Gretchen Stearns, engineer Paul McCreary and secretary Jodi Keyser.

Absent: attorney Rob Fitzsimmons

Correspondence: Training notice from the Columbia Land Conservancy

Board members reviewed the Minutes of the April 7, 2014 meeting. Gretchen Stearns asked for a correction to the minutes for the Wang application. Correction was noted by the secretary. Motion to accept the corrected minutes was made by Virginia Ambrose with a second from Scott Cole. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 5/5/14:

Zaroff, Ellen Special Exception: Tax Map #(SBL) 133 . 2 – 40 Located at 663 Lockwood Rd. Special Exception for the construction of a garage with a one bedroom accessory apartment on the second floor.

Cindy Elliott was present for the application. Ms. Elliott submitted new maps and a revised corrected application. Ms. Elliott explained that the new maps dated 5/5/14 are showing the well location, septic system location, and the foundation for the garage with accessory living space on second floor. Ms. Elliott continued that the garage is a modular built structure same as the primary residence. Ms. Elliot stated that the roof height will be lower than the main residence but will have similar architectural details. Ms. Elliott informed the Board that her client ordered the garage prior to knowing that she would need a Special Exception and the garage was built off site and now delivered along with the main residence. Ms. Elliott continued that she spoke with Stan Koloski to ask if the garage could be delivered to the property but not set on to the foundation because it was delivered before the Special Exception approval was granted. Ms. Elliott stated that Mr. Koloski consulted with TOC attorney Rob Fitzsimmons who advised that the structure be stored off site until after public hearing and the Planning Board's decision so that there aren't any problems with abutters saying that the garage was there before it was approved. Ms. Elliott continued that she understood the reasoning but her client is now forced to pay for storage at an off- site area until the approval. Ms. Elliott asked the Board if they would consider holding a special meeting before the next regular meeting to speed the process up so her client doesn't have to pay for storage of the garage until the next meeting. Chairman Brian Goodrich stated that he felt that the applicant would have to wait until the June 2nd meeting. Virginia Ambrose stated that this was reasonable. Gretchen Stearns stated that she understood the applicant's situation but it needs to go through the proper steps.

Motion to accept the application as complete and to determine that the application is a Type II unlisted action with regard to SEQRA was made by Nathan Chess with a second from Judy Zink. All members were in favor. Motion carried.

Motion to schedule public hearing for the application on June 2, 2014 was made by Nathan Chess with a second from Scott Cole. All members were in favor. Motion carried. Paul McCreary informed the Board that on page 129 of the TOC Zoning Law section 16.9.1 states: "Time of decision. Within sixty-two (62) days of the public hearing, the Planning Board shall render a decision on the site plan and/or Special Exception Use permit. The Planning Board's action shall be in the form of a written statement to the applicant stating whether the site plan and Special Exception Use permit is recommended for approval, disapproval or approval with modifications. If the proposal is recommended for disapproval, the Planning Board's statement will

contain the reasons for such findings. In such a case, the Planning Board may recommend further study of the site plan and resubmission to the Planning Board after it has been revised or redesigned. The Planning Board's decision must be filed with the Town Clerk within five (5) business days after such decision is rendered and a copy mailed to the applicant." Paul McCreary continued that the Planning Board has 62 days from the public hearing to make a decision so this may be an issue for the applicant and the Planning Board might want to consider this time frame. Secretary Jodi Keyser informed the Board that her notes from the April meeting indicated that Rob Fitzsimmons stated that it is a requirement for a Special Exception to be reviewed by the Columbia County Planning Board at their monthly meeting. Paul McCreary then stated that the applicant will need to wait until the June 2nd meeting and until reviewed by the CC Planning Board. Gretchen Stearns then stated that the code Mr. McCreary referenced prior should read that the applicant is notified of the decision in writing via certified mail. Secretary Jodi Keyser informed the Board that she always notifies the applicant of the decisions whether approved or denied in writing but not by certified mail. Members then discussed possibly increasing the application fees to cover the increasing costs with applications. Gretchen Stearns then stated that the TOC Zoning Law page 87 section 15 . 3 . 1 states: "Building Design of Accessory Dwelling Unit in Accessory Structure. In order to maintain the architectural design, style, appearance, and character of the main building as a single-family residence, the accessory dwelling unit shall have a roof pitch, siding, and window proportions identical to that of the principal dwelling. An accessory dwelling shall not exceed two stories or the height of the principal dwelling unit, whichever is less. No exterior stairway to the second floor is permitted at the front or side of the building." may need to have a change in the wording. Gretchen will make a note of these two items and talk with Councilwoman Katy Cashen.

NEW APPLICATIONS FOR 5/5/14:

Bartges, Hans Subdivision/Boundary Line Adjustment: Tax Map #(SBL)132 . 00 – 02 – 30 Boundary Line Adjustment of .45 acres to be merged with Tax Map #(SBL)132 . 00 – 02 -31 . 1

Bob Ihlenburgh and Mr. Bartges were present for the application. Mr. Ihlenburgh informed the Board that Mr. Bartges is seeking to separate .45 acres from his property and join the .45 acres with his neighbor Mr. Madey's property. Mr. Ihlenburgh stated that this is a simple Boundary Line Adjustment. Mr. Bartges informed the Board that he owns 51 +/- acres of property and Mr. Madey owns 1 acre. Mr. Ihlenburgh informed the Board that the properties share a common driveway. Gretchen Stearns asked if Mr. Bartges garage meets setback distances. Mr. Ihlenburgh stated yes. Mr. Ihlenburgh was instructed to find out if the property is within an Ag District and if so fill out the Ag Data sheet and submit it to the Planning Board secretary. Mr. Ihlenburgh was also instructed to contact Rob Fitzsimmons and get the deed descriptions to his office for review prior to the June 2nd meeting. Paul McCreary suggested that the Board members classify the application and set public hearing.

Motion to classify the application as a Class 1 minor subdivision was made by Virginia Ambrose with a second from Nathan Chess. All members were in favor. Motion carried.

Motion to accept the application as complete, determine that the application is an unlisted action with regard to SEQRA and set public hearing for June 2, 2014 was made by Nathan Chess with a second from Virginia Ambrose. All members were in favor. Motion carried.

INFORMAL:

Alan Weaver asked the Board members questions about a subdivision for Spiro Katsivelos located on NYS Rte. 9-H. Mr. Weaver informed the Board that his client would like to subdivide a portion of his current property to be able to have a driveway back to another 22 acre parcel.

Mr. Weaver was instructed to set up a meeting with the TOC Building department to discuss his proposal.

Chairman Goodrich informed the Board members that without Rob Fitzsimmons the discussion of the Rules of Procedure would have to be tabled until the next meeting.

Chairman Goodrich asked if the Board members had any other new business.

Nathan Chess informed the Board that he is verbally submitting his resignation from the Town of Claverack Planning Board immediately and that he will formally send his resignation in writing to the Town of Claverack Board. Mr. Chess continued that he wants the Planning Board members that he has enjoyed being a member of the TOC Planning Board. Mr. Chess informed the Board members that he will still be attending the May 14, 2014 joint meeting and public hearing for the Ginsberg's application strictly as a member of the public.

Scott Cole suggested that the TOC purchase other signs for public hearing notice because the current signs are unprofessional and look bad.

Motion to adjourn the meeting was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Meeting adjourned at 8:00 p.m.

Respectfully submitted,
Jodi Keyser, Secretary