

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes: July 6, 2015**

Chairman Brian Goodrich called the July 6, 2015 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were: Chairman Goodrich, attorney; Rob Fitzsimmons, engineer; George Schmitt, Judy Zink, Virginia Ambrose, Scott Cole, Rick Gerlack, Gretchen Stearns, Joe Singleton and secretary; Jodi Keyser

Correspondence:

Review letter from Columbia County Planning Department regarding the Coon Storage application.

NYS Planning Federation 2015 Summer School training schedule.

Email from Planning Board member Joe Singleton informing the Planning Board of recusing himself from the Newsome Distillery application.

Board members reviewed the minutes of June 1, 2015 meeting.

Motion to approve the June 1, 2015 minutes was made by Scott Cole with a second from Gretchen Stearns. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 7/6/15:

NYNEX Mobile Limited Partnership 2 d/b/a Verizon Wireless Site Plan Review & Special Exception: Tax Map #(SBL) 121 . – 1 – 83 . 11 Located at 97 State Route 23. Site Plan Review for the construction of a new telecommunication/cellular tower.

Secretary Jodi Keyser informed the Board that she received an email from Scott Olsen requesting to hold the NYNEX/Verizon Mobile cellular tower because the applicant is researching the possibility of locating the cellular antenna on the TOC water tower. Mr. Olsen will keep the Planning Board advised.

Biocam LLC Site Plan Review: Tax Map #(SBL)101 . – 1 – 10 Located at 6 Grandinetti Drive in the Columbia County Commerce Park. Special Exception/Site Plan Review for the addition of an 80' X 100' wholesale space. Pat Prendergast was present for the application. Mr. Prendergast handed out samples of the products that the company receives in bulk amounts and splits and packs for smaller individual customer orders to ship. Gretchen Stearns stated that the Planning Board members actually wanted the listing of products reviewed by the TOC Building Inspector for hazardous materials. Ms. Stearns continued that Stan Koloski reviewed the list of products and deemed minimal hazards. Pat Prendergast stated that the products are delivered in large quantities on pallets from European distributors and from those supplies the individual orders are filled and shipped. Mr. Prendergast continued that the products are never repackaged because they come individually packaged already. Mr. Prendergast submitted new Site Plan maps showing the new addition with ½ warehouse and ½ order packaging. Chairman Goodrich stated that in his opinion he does not feel that this is an assembly use because component A is not combined with component B to make component C it is just picking stock to fill orders just like at the Ginsberg Foods facility. Chairman Goodrich continued that this is a wholesale business selling to wholesale businesses. Mr. Prendergast informed the Board that the company sells retail also. Gretchen Stearns informed Mr. Prendergast that Stan Koloski sent a letter to the Board dated June 24, 2015 where he states that the proposal is different from the original plan that Mr. Prendergast met with him about and he feels that the new plan appears to be changed back to a warehouse use. Rob Fitzsimmons informed the Board that he hasn't spoken with Stan Koloski about the change. Chairman Brian Goodrich informed the Board that according to the TOC Zoning Code a wholesale business requires a Site Plan Review but a warehouse use requires a Special Exception approval and this will be a problem because the addition will not meet the required setbacks. Pat Prendergast informed the Board that it is not an issue because the use is a wholesale business not a warehouse. Virginia Ambrose asked for clarification not taking big amounts of products and repackaging into smaller amounts but taking the products as

they are and the size that they are and picking them as per the customer orders. Pat Prendergast stated that this is correct. Gretchen Stearns stated that she is comfortable with the definition of use as a wholesale business and so is Stan Koloski. Ms. Stearns continued that she feels that Stan Koloski has a legitimate complaint with the fact that the application was given to him in dribs and drabs and this causes confusion for both the Planning Board and the Building department. Mr. Prendergast informed the Board that he first met with Dennis Callahan of the TOC Building Department who told him one thing only to meet with Stan Koloski later to find out that he needed something different so he is stuck between the two of them. Gretchen Stearns suggested that Mr. Prendergast complain to the Town of Claverack Town Board members about the confusion and suggested that in the future he meet with Stan Koloski only because he knows the TOC Zoning Code and Laws and sticks to it. Gretchen Stearns then asked for the Landscape Plan as requested. Pat Prendergast informed the Board that the building has a beautiful flower garden around the front door. Mr. Prendergast continued that most of the building cannot be seen from the roadway due to the topography of the land but he will follow the existing spruce trees around the addition the same as the existing. Gretchen Stearns informed Mr. Prendergast that the type and caliper of the trees need detailed plans as per the TOC Zoning Code. Ms. Stearns continued that the landscaping plan is sparse but agrees that the topography of the property does hide the building. Chairman Goodrich informed Mr. Prendergast that he needs to supply a corrected application showing a wholesale business use as per TOC Zoning Code 2.2.227, supply a detailed landscape design and a short SEQRA form. Mr. Prendergast asked the Board to set up the public hearing for the August meeting.

Motion to classify as an unlisted action for purposes of SEQRA was made by Scott Cole with a second from Virginia Ambrose. All members were in favor. Motion carried.

Motion to set public hearing for August 3, 2015 for a Wholesale Business Use was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried.

Mr. Prendergast was directed to obtain a meeting notice sign from the Town Clerk and to submit requested materials by July 13, 2015.

Gretchen Stearns suggested that the Secretary send an email message to Stan Koloski to let him know that the Planning Board is all good with the new definition as a wholesale business use.

NEW APPLICATIONS FOR 6/1/15:

Heroic Food Special Exception: Tax Map #(SBL) 110 . – 1 – 29 . 120 Located at 28 Fish and Game Rd. Special Exception for a non-profit membership club to teach sustainable farming techniques to veterans.

Eric Carlsen and Tom Burrell of Heroic Food representing Leora Barish, John Viola of Heart 9-11 and Emily Kirkland and Andrew Burdick of Ennead Architects were present for the application. Mr. Carlson informed the Board that the mission of Heroic Food is to prepare veterans to learn the skills associated with sustainable farming. Mr. Carlson continued that studies have shown that many current farmers are nearing retirement age and will need people to take over their farming operations and returning veterans are in need of assistance re-entering communities and the workforce. Also the study found that many veterans like the idea of farming. Andrew Burdick and Emily Kirkland reviewed the proposal for the Board members. Emily Kirkland informed the Board that they have worked over a year to establish the plans for this project. Ms. Kirkland continued that they have met with the TOC Building Department's Stan Koloski twice and have concluded that this use is that of a Membership Club/ Non-Profit use and is located in the Rural Agricultural Zone. Chairman Goodrich stated that the primary use is that of a Membership Club/Non-Profit with several accessory uses. Andrew Burdick stated yes but the accessory uses directly impact the primary use. Gretchen Stearns asked if the plan proposes to have a clubhouse for use. Andrew Burdick answered yes but only for use is set by guidelines with the membership approved by application. Andrew Burdick continued that the proposal is to maintain the natural existing beauty of the property and surrounding land by minimizing visual impact with locating new construction as close to the existing buildings as allowed and to locate the new construction to allow for the view of the mountains. Emily Kirkland explained that they propose 8 new housing units for member veterans to live and learn for periods of one year and will transition veterans from the barracks to private life. Ms. Kirkland continued that these units will contain a kitchenette, bathroom, dining area, storage and bedroom to allow for a single person or couple to live for the training year. The units will not have a living room as to encourage socialization with others at the clubhouse. Ms. Kirkland explained that the units will be built like duplexes with a common wall. Ms. Kirkland continued that the clubhouse will be the central structure for socializing.

Ms. Kirkland informed the Board that all of the buildings meet the required setbacks and lot coverage. Ms. Kirkland informed the Board that TOC Building Stan Koloski wanted the Board to know that farmworker housing is not required to meet density requirements like single family housing. Ms. Kirkland continued that the plan to construct the farmworker housing as close together as possible also minimizes the visual impact. Gretchen Stearns added that the Triform community has set a precedent with the use of farmworker housing in a Membership Club/Non-Profit but theirs is not quite farmworker housing per say. Andrew Burdick explained that the structures are in the beginning stage and not exactly what will be built but the actual buildings will be high quality living structures and not the typical farmworker housing typically seen. Andrew Burdick explained that on page 23 of the plan nesting buildings close together also minimizes the visual impact and keeps the maximum amount of open space possible. Andrew Burdick then reviewed the traffic impact. Andrew Burdick informed the Board that the plan is to have a farm stand with a circular driveway using gravel and explained the proposed greenhouse locations. Andrew Burdick explained that an accessory use would be to have temporary platforms for tents that would allow up to 12 people per weekend to stay at the property and interact with the project. Andrew Burdick continued that Heroic Foods would like to continue these camping weekends a couple of times per year. Gretchen Stearns informed the applicants that if they call the accessory use a campground it will require many NYS regulations so they should check with Stan Koloski. Andrew Burdick then explained that the camping would be most like that of a Boy Scout troop spending the weekend at a parent home camping in the yard. Joe Singleton informed the applicant that if the tents were being used straight from April to October then that would be a problem but if occasionally used by membership only is possible. Andrew Burdick informed the Board that the camping weekends would only be a few times per year and would be Thursday through Sunday. Virginia Ambrose stated that she is concerned with adequate sanitary areas for washing before selling at the farm stand. Ms. Kirkland informed the Board that there are bathrooms in every living unit and the clubhouse will have a bathroom with shower and kitchen to use. Joe Singleton asked if there is an elaborate septic system. Andrew Burdick answered that the property is connected to Town of Greenport water supply and also has a few existing wells for water supply. Joe Singleton suggested that the applicant apply for a septic approval from the Columbia County Department of Health before long so they know if they need to apply for a SPEDES permit so they need to have their engineer start the septic design. Gretchen Stearns asked if the main house has bathrooms. Mr. Carlson informed the Board that the existing farmhouse has 2 bathrooms and a kitchen. Gretchen Stearns then asked if the camping members would need to use the clubhouse bathroom. Ms. Kirkland stated that port-o-johns will be set up each camping weekend for their use.

Andrew Burdick informed the Board that the design of the buildings is in the beginning stages and to understand that the details are contingent on funding. Gretchen Stearns asked what the estimated cost of each living unit is. Ms. Kirkland stated approximately \$50,000.00 including plumbing and electric. Gretchen Stearns stated that the farmworker housing in the county is very poor so this is hard to have called farmworker housing but it might make farmers fixup their existing farmworker housing. Chairman Goodrich asked if where the compost will be held. Andrew Burdick stated the compost will be held in the back field and no outside compost will be brought in at this time.

Gretchen Stearns informed the applicant that they should contact Columbia Memorial Hospital to get approval to use the parking lot on weekends when there will be a big event. Andrew Burdick informed the Board that they have made contact with CMH and have approval to use the parking lot on weekends.

Andrew Burdick then reviewed the proposed greenhouses and farm stand for the Board as per the full build out. Andrew Burdick continued that they phase 1 only one 30 X 72 foot hoop house type of greenhouse hopefully this summer. Andrew Burdick stated that the farm stand has no current plan but might want someday so they have it included in the proposal and if they decide to have the farm stand it will be less than 500 square feet.

Andrew Burdick recapped the project stating that the goal of Heroic Foods is to bring the property back to a viable farming operation and to help veterans learn a new skill and readapt to the community after their military service has ended. Board members agreed to support Heroic Foods plan.

Gretchen Stearns added that this is not the final plan. Andrew Burdick asked if the plan needs to have a public hearing. Chairman Goodrich asked if the Board has enough information to set up the public hearing. Rob Fitzsimmons stated yes enough details and no issues as far as he sees. George Schmitt informed the applicant that he will need the wastewater plan, water details, and to check with CCDPW for the driveway. Gretchen Stearns informed the applicant that the Planning Board will need all of the documentation to be able to vote.

George Schmitt stated that the Board can begin the public hearing for the Site Plan and Special Exception and continue until all documentation is supplied. Andrew Burdick informed the Board that they are trying to line up the required permits and set up the funding but they can't draw full detailed specs without knowing the funding and because this funding is contingent on Board approval they are unable to proceed.

Chairman Goodrich then took a straw poll of the Board members to give the applicants an idea of the outcome of the approval. All Board members were in favor of the project and to use this to help with the fundraising. Joe Singleton stated that the Planning Board can conditionally approve the Special Exception pending documentation. Chairman Goodrich stated that the documentation is important especially for the Site Plan Review. Gretchen Stearns added that the PB is good to go for the Special Exception Use then do the Site Plan when the permits are submitted. Joe Singleton stated that the SEQRA review requires the Planning Board to review the Full Build-out of the project. Chairman Goodrich stated that he had no problem with approving the full build out instead of approving each phase separately. Chairman Goodrich then addressed the long term site contingencies because Stan Koloski wants to make sure issues are taken care of in case the proposal does not move forward which could be a condition of approval. Rob Fitzsimmons added that this step protects the Town of Claverack if the property is ever sold. Gretchen Stearns stated that the proposal is impressive. Katy Cashen asked the applicants if they plan to keep the barns. Andrew Burdick stated that the current plan is to preserve the existing structures but they might have to take down part of the large barn because of structural issues.

Motion to classify as an unlisted action for purposes of SEQRA was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried

Motion to deem the application complete and to set the public hearing for August 3, 2015 for a Special Exception Use and Site Plan for a Membership Club/Non-Profit with accessory uses of farming operation and farmworker housing was made by Judy Zink with a second from Joe Singleton. All members were in favor. Motion carried.

Applicant was instructed to obtain a meeting notice sign from the Town Clerk and to submit a Short Form SEQRA. Emily Kirkland informed the Board that they will also submit a new application using the correct terms for the temporary camping and will submit all of the documentation to a drop box for the town website. Andrew Burdick asked the Board when the applicant might be able to construct the hoop house. Virginia Ambrose informed the applicant that when she applied for a building permit several years ago for her hoop house she was informed that she didn't need a permit because it is a temporary structure. Rob Fitzsimmons instructed the secretary to submit the application to the Columbia County Planning Department for review.

Continued to August.

Newsome, Jack & Louise dba State 11 Distillery: Tax Map # 121 . – 1 – 73 Located at 284 NYS Rte. 23. Special Exception for a farm distillery.

Secretary Jodi Keyser received an email on 7/6/15 from Sarah Newsome requesting to hold the Newsome Distillery application until the August meeting due to unforeseen circumstances.

INFORMAL:

Chairman Goodrich spoke with the following applicant and suggested that they appear informally.

Rune Olsen & Jeffrey Gibson/Hudson City School District Special Exception/Site Plan Review: Tax Map #(SBL)121 . 03 – 1 – 89 Located at 621 NYS Rte. 23-B (former Claverack School Building). Site Plan/Special Exception for a Professional Office/Artist Studio.

Rune Olsen and Jeff Gibson were present for their proposal prior to submitting the application. Mr. Gibson informed the Board that they have the application completed but missed the deadline for the July meeting. Mr. Gibson informed the Board he and Mr. Olsen are artists and educators currently residing in Germantown and renting studio space in Hudson. Mr. Gibson continued that they are in the process of purchasing the former Claverack School building to use as studio/office space for their business. Mr. Gibson informed the Board that the Claverack School building is perfect for studio space and they currently have 3 other artists that will be renting space from them in the building. Mr. Gibson stated that the individual classrooms are perfect for individual artist studio space so they will not make any structural changes to the interior of the building. Mr. Gibson continued that all of the 7 full time employees are recent art graduates and the studio will operate Monday through Friday from 10:00 a.m. to 6:00 p.m. Mr. Olsen explained that their objective is to bring artists to the spaces to different types of artists. Mr. Gibson added that there will be only about 14 to 15 cars per day at the studios with a studio

visit from about every 1 to 2 weeks and pickups of artwork approximately 1 time per week so the traffic impact is very low as with previous uses i.e. school, county courthouse.

Mr. Gibson informed the Board that he and Mr. Olsen do not use toxic materials, do not use welding in their art and will only rent to established artists and they will make sure that they know the regulations. Mr. Olsen added that welding is not an issue at the present time but if it ever should be required they will follow proper procedures with the TOC Building Inspector's office. Rick Gerlach stated that the Board could make this a condition of the approval. George Schmitt added that if the applicant ever adds a kiln to the building it would require a permit from the TOC Building Department as would glassblowing and working with fiberglass material.

Mr. Gibson then informed the Board that in the future they would like to consider holding public engagements like a one night exhibition by one of the artists, or trips from local schools and asked if that would require additional approvals.

Mr. Gibson continued that they plan to maintain the grounds as green space and would like to remove a good portion of the temporary parking area used by the County Courthouse. Gretchen Stearns stated that she was surprised because the County was supposed to remove the gravel from temporary parking. Mr. Gibson continued that the building requires repair to the brick work which will be started next spring. Mr. Gibson added that the old school bell will be owned by the Town of Claverack but they will be the caretakers of the bell. Mr. Gibson stated that the easement with the Claverack Free Library will remain and they are working closely with the library for possible future collaborations. Mr. Gibson stated that the building is approximately 14,000 square feet and they will not expand the building but will either replace the flooring but most likely will put in new flooring over the existing because of asbestos concerns. Mr. Gibson informed the Board that the first step they will take is to mitigate the existing lead paint on the windows before they can repoint the brick. Chairman Goodrich asked if the building contains asbestos. Mr. Gibson answered yes and the HCSD did encapsulate it a few years ago but the flooring also contains asbestos so if they were removed it would require proper measures for removal. Chairman Goodrich informed the applicant that the TOC Building Department's Stan Koloski has indicated that the project will need a Fire Code Review. Rob Fitzsimmons added that this is a requirement for assembly space if any portion of the building were to be used as a gallery or exhibit space but the engineer for Crawford and Associates should be able to do this for the applicant. Rob Fitzsimmons continued that the Building Department wants to make sure that a professional has completed the Fire Code Review. George Schmitt informed the applicant that they need to supply a master plan for the building with parking and public assembly details for their engineer to complete the Fire Code Review and the details for asbestos and a kiln are the TOC Building Department issues. Mr. Gibson informed the Board that the building does not have a sprinkler system and due to the size is not required to have one.

Chairman Goodrich asked if the building utilizes TOC water. Mr. Gibson answered yes the building is on the TOC Water District and has a leach field with septic tank. Gretchen Stearns asked the intentions for using the green space because the community sees this as one space possibly the garden club would be interested in using it for a community garden etc. Katy Cashen informed the Board that the TOC does not have a garden club. Mr. Olsen stated that the priority is to begin to use the building for an artist studio then discussion for the use of the green space might be viable. Mr. Gibson added that the artists are using the building for the serene nature and quietness of the area and to be able to use the space as creatively as possible free of distractions. Mr. Olsen also informed the Board that when they completed the application if they wanted to use the field for a community garden they would have to decide whether to make the use of the property for agricultural or an artist studio and they are purchasing the property for an office/artist studio so the plan is to reclaim the field and leave it a field. Mr. Olsen informed the Board that they hope to work swiftly for approval because the sale of the property requires a referendum of the Hudson City School District taxpayers which will take place at the November election. Rick Gerlach stated that this appears to be a good fit if done correctly.

Gretchen Stearns then suggested that the Board take a straw poll. Chairman Goodrich then asked the Board members if they felt that there would be concerns for a denial on the plan for the former Claverack School Building as discussed. Board members replied that they are in favor of the proposal as described by Mr. Olsen and Mr. Gibson. Mr. Gibson thanked the Board members for their time and will submit the completed application to be on the August 3, 2015 agenda.

OTHER BUSINESS:

Chairman Goodrich informed the Board members that the September meeting will fall on September 7, 2015 Labor Day so they need to move meeting date. Board members agreed that the late Labor Day Holiday would make the meeting too late if held after that date. Members agreed to set Monday, August 31, 2015 as the official September meeting date for the Planning Board pending availability of the Town Hall. Secretary Jodi Keyser will check with the Town Clerk on availability.

Motion to adjourn the meeting was made by Judy Zink with a second from Virginia Ambrose. All members were in favor. Meeting adjourned at 8:55 p.m.

**Respectfully submitted,
Jodi Keyser, Secretary**