

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes: October 5, 2015**

Chairman Brian Goodrich called the October 5, 2015 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

**Members in attendance were: Chairman Goodrich, Scott Cole, Joseph Singleton, Virginia Ambrose, Judy Zink, Richard Gerlach, attorney; Rob Fitzsimmons, engineer; George Schmitt and secretary; Jodi Keyser
Absent with regrets: Gretchen Stearns**

Correspondence

Board members reviewed the Minutes of August 31, 2015 meeting.

Motion to approve the August 31, 2015 minutes with minor corrections was made by Scott Cole with a second from Joseph Singleton. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 10/5/15:

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 informed the Board members that she received an email from Sophie Newsome informing her that they were awaiting some information requested by the Board and therefore would not be attending the meeting.

NEW APPLICATIONS FOR 10/5/15:

Concra dba Subway Site Plan: Tax Map #(SBL) 121 . 03 – 3 – 16 Located at 634 Rte. 9-H & 23 Site Plan Modification for 3 signs with business name.

Margaret Concra was present for the application. Ms. Concra informed the Board that she is proposing signs for her subway store at the intersection of NYS Rte. 23/23-B & 9-H. Ms. Concra continued that she reads the Town of Claverack Zoning regulations that she can have signs as long as they are no larger than 16 square feet. Rob Fitzsimmons corrected Ms. Concra informing her that the Zoning Regulations allow for one (1) 16 square foot sign per property not each sign. Ms. Concra then asked for clarification as to which zone her property is located in. Board members reviewed the zoning maps and informed Ms. Concra that her property is located in the Hamlet Business zone. Ms. Concra then informed the Board members that she was informed at the August meeting by Board member Gretchen Stearns that she could not have a pole sign but if it is allowed by the law then she can. Rob Fitzsimmons informed Ms. Concra that her application is confusing and she needs to indicate exactly which signs she wants. Rob Fitzsimmons continued that the Zoning Law allows for one 16 square foot sign attached to the building and other signage would need variance approval from the Town of Claverack Zoning Board. Rob Fitzsimmons continued that the pole sign Ms. Concra has proposed is required to be 15 feet back from the property line. Rob Fitzsimmons asked Ms. Concra to submit a diagram of all the signs with their sizes. Chairman Goodrich informed Ms. Concra that at the informal meeting in August he felt that she had agreed to do away with the pole sign and concentrate on exit/entrance signs which would have the Subway logo on them in addition to the sign on the building. Ms. Concra answered yes that was correct but she would like to revisit the pole sign because she would want as much signage as she could get. Ms. Concra submitted diagrams of the proposed exit/entrance signage. Virginia Ambrose informed Ms. Concra that the exit/entrance signs are more effective than the pole sign. Ms. Concra informed the Board that she would still like the pole sign rather than the exit/entrance signs. Rob Fitzsimmons again informed Ms. Concra that the pole sign is required to be 15 feet from the edge of the right of way. Chairman Goodrich informed Ms. Concra that the members of the Planning Board have made it clear that they are not in favor of the pole sign but would endorse the exit/entrance signs and would send a letter of endorsement to the Town of Claverack Zoning Board of Appeals indicating such. Ms. Concra informed the Board that she is concerned that the signs are not enough to publicize the shop

and would still need to have the pole sign. Rob Fitzsimmons informed Ms. Conkra that the Town of Claverack Comprehensive Plan pays special attention to the Hamlet Business zone when it comes to the character of the buildings and especially the type and size of signs. Ms. Conkra informed the Board that she is eager to open the Subway shop. Rick Gerlach stated that the Planning Board is in favor of the sign on the building and if she gets approval for that then the store can open. Chairman Goodrich asked if the NYS DOT required exit/entrance signs. George Schmitt stated that he was unsure. Ms. Conkra stated that the exit/entrance signs were her idea. George Schmitt asked if Stan Koloski or NYS DOT indicated that they did not need curbing within the parking lot. Ms. Conkra stated that they did not indicate the need for curbing within the parking lot. Chairman Goodrich informed the applicant that the Planning Board could proceed with the façade sign if she wanted. Ms. Conkra indicated that she will go with the façade sign at this time and apply for a variance for the other signs. Motion to accept the application for a modification of the Site Plan for the addition of a 15.98 square foot sign on the façade of the building as complete, classify the application as an unlisted action with regard to SEQRA and set the application for public hearing on November 2, 2015 was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried. Ms. Conkra was instructed to obtain a sign from the Town Clerk noticing the public hearing.

Habitat for Humanity: Tax Map #(SBL) 101 . – 2 – 11 . 200 Located at 829 Rte. 66. Site Plan Review for 2400 square foot expansion of current use.

Brenda Adams was present for the application. Ms. Adams reviewed for the Board that Columbia County Habitat for Humanity currently leases 8500 square feet of which 7500 square feet are retail space with 1000 square feet of office space. Ms. Adams continued that they are seeking to expand another 2400 square feet to use primarily for retail space. Ms. Adams informed the Board that the property was recently purchased by Hudson Valley Classic Motors LLC. Ms. Adams informed the Board that the owner has agreed to remove two shed/outbuildings because they were never allowed. Ms. Adams informed the Board that there is one point of notice that the plan shows a fire wall which the contractor is adding but the TOC Code enforcement officer felt that the building did not need because it is not new construction. Ms. Adams continued that she has learned that since the original Site Plan approval the zone the building is in has changed and they are allowed to have a larger sign. Ms. Adams continued that a larger sign may be in the cards at a later date but not at this time.

Motion to classify as an unlisted action with regard to SEQRA, deem the application complete and set for public hearing on November 2, 2015 was made by Virginia Ambrose with a second from Judy Zink. All members were in favor.

Secretary Jodi Keyser informed the Board and applicant that she received notice from the Town Board that they voted in favor to allow Columbia County Habitat for Humanity to waive the fees for the application. Ms. Adams was instructed to obtain a public hearing notice sign from the Town Clerk's office.

Williams, David Site Plan Review: Tax Map #(SBL)141 . – 1 – 33 Located at 415 Millbrook Rd. Site Plan Review for a one time only replacement of a non-conforming pre-existing mobile home.

Mr. Williams was present for the application. Mr. Williams reviewed for the Board that he is seeking a one-time replacement of a non-conforming pre-existing mobile home with a new mobile home. Rob Fitzsimmons reminded the Board that this is simply a one-time replacement of an existing mobile home with a new mobile home. Mr. Williams informed the Board that he is proposing nothing other than removing the existing mobile home with a new mobile home.

Motion to classify as an unlisted action with regard to SEQRA, deem the application as complete and set the application for public hearing was made by Joseph Singleton with a second from Judy Zink. All members were in favor. Motion carried.

Mr. Williams was instructed to obtain a public hearing sign from the Town Clerk's office.

SBA Towers VIII, LLC Special Exception Permit Renewal Application:

Tax Map #(SBA) 143 . 00 -1 – 08 . – 1 Located at 1262 Route 23. Special Exception Permit Renewal for a telecommunications tower.

Tom Puchner of Phillips & Lytle Attorneys LLC was present for the application. Mr. Puchner's firm is representing SBA Towers the current owner of the telecommunication tower located on NYS Rte. 23 in Craryville. Mr. Puchner informed the Board that his client is seeking a Special Exception Renewal as required every 5 years by the Town of Claverack Zoning Laws for the tower. Mr. Puchner continued that no changes are

proposed to the site and the tower is in compliance as is. Mr. Puchner reviewed the submitted application materials with the Board members. Rob Fitzsimmons informed the Board members that this tower was approved as the Mariner Tower which is a monopole tower. Virginia Ambrose asked if there are any other changes proposed for the tower. Mr. Puchner informed the Board that in 2014 the owner of the tower applied and received a building permit for 3 additional LTE antennae but they were never installed. Rob Fitzsimmons informed the Board that the applicant might have let the permit time out. George Schmitt informed the Board that this application is straight forward as far as he is concerned.

Motion to accept the application as complete, classify as a type 2 for SEQRA purposes and set for public hearing on November 2, 2015 was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried.

Mr. Puchner was instructed to obtain a public hearing notice sign from the Town Clerk's office. Rob Fitzsimmons informed Mr. Puchner that it is the applicant's responsibility to send out the public hearing notices to the abutters and to provide the Planning Board with the proof of mailing. Mr. Puchner agreed.

OTHER BUSINESS:

Chairman Goodrich informed the Board that the Town Board will be approving new laws in the near future. Town Board member Katy Cashen informed the Board that one of the changes is regarding yard/garage sales. Rob Fitzsimmons stated that the change is to make clear that garage/yard sales are limited to 2 weekends per year to keep this activity from becoming a business as it appears with some places in the Town. Katy Cashen stated that it is to keep from someone having a yard/garage sale every weekend when it is clear that they are bringing items from outside to sell.

Scott Cole informed the Board that he will be out of town for the November meeting.

Virginia Ambrose asked why the Newsome Distillery was not coming. Secretary Keyser informed her that the email from Sophie Newsome stated that they are waiting to receive information that the Board requested.

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 7:59 p.m.

Respectfully submitted,
Jodi Keyser, Secretary