

APPROVED 3/7/16

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes: February 1, 2016**

Chairman Brian Goodrich called the February 1, 2016 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

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

Correspondence: New Town of Claverack Zoning Laws were distributed to the Planning Board members.

Board members reviewed the minutes of the January 4, 2016 meeting.

Motion to approve the minutes of the January 4, 2016 meeting was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 2/1/16:

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

Rob Fitzsimmons informed the Board members that he received an email from the applicant's attorney informing him that his clients will not be attending the meeting because they are awaiting further information from NYS Ag & Markets and the Columbia County Clerk's office.

Columbia Greene Humane Society Special Exception Revision: Tax Map #(SBL) 100 . – 1 – 03 Located at 111 Humane Society Rd. Special Exception Revision of a previously approved Special Exception for the addition of a new building for a veterinary clinic and animal shelter.

Chairman Goodrich informed the Board and audience that Mr. Perez emailed the secretary stating that they were awaiting further information on funding and therefore will not be attending the meeting. Trina Sadofsky asked why the neighbors were not informed that the applicant was not attending. Rob Fitzsimmons informed the audience that it is difficult to inform everyone which applicants are attending and which ones are not. Ms. Sadofsky complained that she is still waiting for the FOIL information that she requested at the January 4th meeting. Secretary Jodi Keyser informed Ms. Sadofsky that she was unaware that she had submitted a FOIL request because it was included in some public comments that were thrown on the table during the meeting. Secretary Keyser continued that as soon as she was made aware of the FOIL request by Rob Fitzsimmons she delivered all of the requested materials to the Town Office building. Secretary Keyser informed Ms. Sadofsky that the materials have remained at the Town Office building awaiting her review and were just retrieved prior to the meeting. Ms. Sadofsky informed the Board that she is upset that this was not done sooner because she needs the information to retain an attorney. Ms. Sadofsky submitted several complaints to the Planning Board that the Columbia Greene Humane Society is still walking dogs on the roadway and on her property. Ms. Sadofsky informed the Board that the Humane society staff are trespassing on her property even after the Planning Board asked Mr. Perez to stop walking dogs near their properties. Ms. Sadofsky stated that she and her neighbors have taken the time to attend the meeting tonight and are very upset that Mr. Perez is not appearing. Ms. Sadofsky asked that she be informed in the future if the applicant is not attending so that they don't waste their time. Ms. Sadofsky informed the Board that she is upset that her FOIL request has not been addressed also. Secretary Keyser again informed the applicant that the materials have been at the Town Office building for several weeks and the Town Clerk was waiting for her to review the information. Mr. Fitzsimmons informed Ms. Sadofsky that in the future if the applicant has informed the Board that they are not attending the meeting they will attempt to notify the neighbors in advance but to understand it is sometimes at the

last minute and notification may not be possible. Mr. Fitzsimmons continued with instructing Ms. Sadofsky to visit the Town Office building to review the information she requested in her FOIL and if she requires copies they will be made at her expense. Ms. Sadofsky agreed.

Breathe Deep Farm L.P Subdivision: Tax Map # 121 . – 1 – 39 and 121 . – 1 – 41. Located at 170 NYS Rte. 217. Subdivision of 69.014 acres.

Dan Russell was present for the application. Mr. Russell submitted deed descriptions for the file. Mr. Russell also submitted new maps. Mr. Russell reviewed the maps for the Board and described the Boundary Line and Subdivision. Mr. Russell informed the Board that after this application is approved and the property sale is completed with Chris Cashen the remainder of the property will be deeded to Scenic Hudson via the Columbia Land Conservancy. Mr. Russell continued that the map shows the easements for access to the property so they will not be creating a landlocked parcel. Mr. Russell reviewed the new notes on the map with note 1 stating the remainder of the property is not intended for residential use only for agricultural use and he fixed some arrows on the map that were pointing in the wrong direction on the previous map. Chairman Goodrich asked if the new parcel will retain the same tax map number and if the separated parcel retains the .41 tax map number. Mr. Russell stated that he is requesting that the .39 tax map number be assigned to the new Cashen parcel and the back separated parcel retain the .41 tax map number but this is done with the County Clerk's office. Chairman Goodrich opened the meeting to the public hearing at 7:18 p.m. Mr. Bevacqua stated that this looks like a great idea. No further comments Chairman Goodrich closed the public hearing at 8:19 p.m.

George Schmitt reviewed the SEQRA for the Board.

Motion granting a negative declaration with regard to SEQRA was made by Scott Cole with a second from Gretchen Stearns. All members were in favor. Motion carried.

Motion for approval of the 1 lot minor Subdivision and Boundary Line Adjustment was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried.

Maps were stamped and signed. Mr. Russell paid final fees of \$300.00.

NEW APPLICATIONS FOR 2/1/16:

Verizonwireless LLC /Town of Claverack Special Exception: Tax Map #(SBL) 120 . – 1 – 23 Located at Old Lane and Water Tower Rd. Special Exception for the installation of a new telecommunication antenna on the Town of Claverack Water Tower.

Scott Olsen of Young & Sommer was present for the application. Mr. Olsen reminded the Board that he currently has an application for a new telecommunications tower at 97 Rte. 23 on the Barnard property which he is asking to have on hold. Mr. Olsen informed the Board that he was asked to look at using the Town water tower as a site. Mr. Olsen informed the Board that after reviewing the water tower even though it doesn't meet all of the coverage issues it is the best site at this time. Mr. Olsen continued that the antenna will not extend the height of the water tower and the structural analysis appears to be adequate for supporting the antenna. Gretchen Stearns stated that she read in the application that the applicant reserves the right to build a new tower at any time. Scott Olsen answered that this is common wording on telecommunications towers and there are no current plans at this point for another tower but allows for future expansion is necessary. Virginia Ambrose asked Mr. Olsen if the company had given up on the cell tower plan for the Barnard property. Mr. Olsen informed the Board that if this new application is approved then the company will abolish the plan for the Barnard property and the two towers would be too close and would interfere with each other. Gretchen Stearns asked Mr. Olsen if he is aware of any future technology that will do away with the need for cell towers. Mr. Olsen answered that some people say that cell coverage will go to satellite but he doesn't see that happening. Mr. Olsen continued that the technology is changing and cell towers will become smaller to cover small pockets. Mr. Olsen stated that everyone wants cell coverage but no one wants a cell tower which will ultimately lead for a change in cell towers. Gretchen Stearns stated that this project is good for the Town of Claverack for the revenue it will bring in. Chairman Brian Goodrich asked how the antenna will be fastened to the water tower. Mr. Olsen stated that he does not yet have that information but will supply it for the next meeting. Chairman Goodrich asked if there will be a fence around the water tower. Mr. Olsen stated yes but it

will be larger than the existing fencing to meet with the Town of Claverack Zoning Code. Scott Cole asked if the generator will run on diesel or propane. Mr. Olsen stated they usually run on diesel but he will check. George Schmitt informed the Board that the mounting specs are located on page 5 of the Site Plan. Virginia Ambrose asked if there will be a need for lighting. Mr. Olsen stated that there is no need for lighting because the antenna will not be higher than the top of the water tower. Rob Fitzsimmons informed the Board that the Town Board approved the lease agreement and the applicant needs to provide removal and installation bonding. Mr. Olsen asked what the Town would require for removal bonding. George Schmitt stated that the bonding should read that the applicant is responsible for any damage or repair such as painting should any be required either during installation or removal. Rob Fitzsimmons informed the applicant that since the Town of Claverack owns the water tower the only bonding figures that are needed are for repainting of the tank after removal.

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 accept the application as complete and to set public hearing for March 7th was made by Scott Cole with a second from Gretchen Stearns. All members were in favor. Motion carried.

Old Business:

Virginia Ambrose asked the status of the Newsome application. Rob Fitzsimmons informed the Board that the applicant has applied to the County requesting the parcel be added to the Agricultural district. Katy Cashen informed the Board that the County has an Agricultural Board that will review this request. Gretchen Stearns asked if the applicant has considered that the site is in a historic district, archeological area, 100 year flood plain, and all of the other issues that go with the property and what the applicant is seeking to use it for.

Motion to adjourn the meeting was made by Judy Zink with a second from Scott Cole. All members were in favor. Meeting adjourned at 7:52 p.m.

Respectfully submitted,
Jodi Keyser, Secretary