

**TOWN OF CLAVERACK
PLANNING BOARD
Meeting: January 5, 2009
7:00 p.m.**

APPROVED 2/2/2009

Chairman Jay Brousseau called the January 5, 2009 meeting of the Town of Claverack Planning Board to order at 7:00 p.m. Members in attendance were: Chairman Brousseau, Judy Zink, Stephen Hook, Virginia Ambrose, Nathan Chess, Engineer; Joe Romano, Attorney; Rob Fitzsimmons, and Secretary; Jodi Keyser

Absent: Daniel Northrup and Caren Mahar (awaiting appointment)

Correspondence were received from:

Holly Tanner filing of Gavin, Van Deusen, and Barnard subdivisions

Planning News newsletter

TOC Building Inspector Report for October, November, and December 2008

Review Letter from Joe Romano of Clough Harbour and Assoc. dated 12/16/08 for CatskillView Rd. Subdivision.

NYSDEC letter regarding Clover Hills Subdivision 2nd notice of incomplete application. Copied to Joe Romano

Board members reviewed the minutes of December 1, 2008 meeting. Motion to approve the December 1, 2008 minutes as written was made by 1st Stephen Hook with a 2nd from Judy Zink. All members were in favor. Motion carried.

Continuing Cases:

Catskill View Road Subdivision: 12 parcels from 287 +/- acres on Catskill View Rd. in Claverack Tax Map # (SBL) 132-1-50.

Doug Clark and Francis Roche were present for the application. Letter from Clough Harbour & Assoc. Joe Romano with comments regarding Stormwater Management Plan. Chairman Jay Brousseau asked Mr. Clark to explain in plain terms exactly the term "raingarden." Doug Clark answered that it is a different type of stormwater management that deals with roof runoff. The "raingarden" is a piece of each parcel set aside for runoff from the roofs of structures on that parcel. The piece of each parcel is determined in advance of construction and will contain drainage stone, topsoil, and plantings that are able to withstand dry and wet times of the year. The plantings help to treat and disperse any contaminants. "Raingardens" eliminate the need for the large fenced retention areas seen in previous site plans. The raingardens are located down slope of each property. Runoff is directed to the raingardens by means of gutters, leaders, and splash blocks, which guide the water by over ground flow. Nathan Chess stated that he felt that the raingarden plan and layout needs to be better defined in the Site Plan. Doug Clark stated that the Site Plan shows a standard house. Mr. Clark added that it is almost impossible to show every type of house, which may or may not be constructed on each different parcel. Nathan Chess responded that he feels there needs to be guidelines within the Site Plan with specific design details for the raingardens so that the Board can make sure that the designs are followed to protect the TOC. Chairman Jay Brousseau addressed the Board and applicant's representatives stating that he did read in the December minutes discussion of this issues took place and that it is possible to have guidelines and ways to inform the TOC Building Department, property owner, and contractor. Chairman Brousseau stated that deed covenants tied to the Building Permit and Certificate of Occupancy stating that no permit or CO will be granted until Stormwater Management is completed as per the plan for each lot. Virginia Ambrose asked how can the Board be assured that future owners of the parcels maintain the raingardens as per the design. Nathan Chess again stated that he has concerns with issues coming up in the future with this type of stormwater management plan. Afraid that new owners may change raingarden area and disrupt the design. Doug Clark answered that the raingarden management will be written in the deeds for each parcel. Mr. Clark added that as part of the Stormwater credit from NYSDEC there is a condition that all lots maintain a 25% conservation easement, which will be written in each deed description. The description will be written in deed descriptions and deed covenants by meets and bounds showing no disturbance of area in each parcel to allow for roof runoff to be dispersed. Chairman Brousseau answered that it was his understanding that plantings could be changed by owners but will need to maintain the integrity of the stormwater management raingarden area. Mr. Roche stated that the issue of maintaining the raingarden will be a deed restriction and it will be the responsibility of the owners to mitigate issue if a problem is created on their neighbor's property. He continued that the TOC would be able to enforce with these restrictions also. Doug Clark stated to the Board that the plan is not designed for the 100-year storm but will meet the needs of daily runoff. Mr. Clark continued that the NYSDEC only allows the "raingardens" design for stormwater management for parcels larger then one acre. Chairman Brousseau asked then if a plan called for 200 houses on 200 parcels the in reality there could be 200 raingardens. Joe Romano answered yes but only to manage roof runoff. Nathan Chess asked Mr. Clark if he has ever used the raingarden type of stormwater management. Mr. Clark answered that he has used the raingarden design of

stormwater management before in commercial buildings like schools but never in a residential setting. Joe Romano asked Mr. Clark to document the impact of increased runoff from driveways and roadways will have on Shad Swamp. Mr. Clark stated that he has addressed two previous comment letters from Joe Romano. Mr. Clark stated that the CCDOH submission was on hold until he is sure that the Board and NYSDEC are good with the Stormwater plan. Mr. Clark informed the Board that he received comment from NYSDEC, which required an adjustment to a culvert wanting an arched culvert instead of the round culvert on the plan. Mr. Clark stated that at this point he feels that the application is ready to go for a public hearing in February. Chairman Brousseau asked Mr. Clark how far along NYSDEC is into the 60-day review. Mr. Clark stated that the Stormwater Plan was not yet submitted to NYSDEC because he was waiting for a more concrete approval from the TOC Planning Board. Approval of the Stormwater Plan needs approval prior to construction and could be a condition of Planning Board approval. Joe Romano informed the Board that he is comfortable with the report from Mr. Clark. Rob Fitzsimmons stated that he and Joe Romano will do some fine tuning as per the deed restrictions and covenants to address any issues raised from the public hearing. Chairman Brousseau asked the members of the Board if there were any further questions or any concerns. Nathan Chess asked whether the Board members would be able to review the deed covenants and restrictions prior to approval. Rob Fitzsimmons answered yes after the public hearing. Joe Romano stated that he feels that the technical issues have all been addressed and foresees nothing, which would call for a major change to the plan. Chairman Brousseau stated that he feels at this time it is better to hear public concerns now to fine tune any issues not yet addressed. Motion to set public hearing on the Catskillview Rd. Subdivision for 7:15 p.m. on February 2, 2009 was made by 1st Judy Zink with a 2nd from Virginia Ambrose. All members were in favor. Motion carried. Chairman Brousseau stated that the Rules of Etiquette will be enforced and a minute rule as needed. Noticed in newspaper and website. Mr. Clark also informed the Board that he was in contact with NYSOPRHP with regard to the buildings to ensure that it is o.k. to demolish them and to be safe even though they are outside the Archeological Buffer zone.

Aiello Subdivision: Tax Map #(SBL) 120 . 00 – 01 – 16 . 111 located on the Northwest side of Stone Mill Rd. Claverack. 4 parcels from 90.839 acres.

Applicant called on 12/23/08 asking to be continued to the February meeting.

Wyman, Timothy d.b.a. / CG Crafts Inc. Boundary Line Adjustment: 41 – 47 Maple Ave. Claverack.

Tim Wyman was present. Mr. Wyman submitted new re-labeled maps. Parcel A is in the middle of the three lots. Dividing into three separate parcels. Parcel A-1 contains residence and railbed with parking along Maple Ave. Parcel A-2 being taken away from Parcel A and added to Parcel C contains residence and railbed with parking behind building and along railbed. Parcel A-3 from Parcel A and added to Parcel B contains residence and railbed with parking on Maple Ave. Needed a septic bed for Parcel C down past Parcel B. New maps show septic tanks and drywells on each parcel. Mr. Wyman informed the Board that all three parcels are joined to the TOC water district receiving Town water. Mr. Wyman informed the Board that there is no longer a driveway for Parcel B. Chairman Brousseau asked the Secretary Jodi Keyser if the application was legally noticed for public comment. Jodi Keyser answered affirmatively. Chairman Brousseau reminded the Board that the application was classified previously as a Class 1 Boundary Line Adjustment. Chairman Brousseau opened the public hearing portion for the application at 8:07 p.m. No comments. Chairman Brousseau closed the public comment at 8:08 p.m. Joe Romano reviewed the SEQRA and deemed negative impacts. Motion for negative SEQRA declaration and Final Approval of a Class 1 Boundary Line Adjustment was made by 1st Virginia Ambrose with a 2nd from Judy Zink. All members were in favor. Motion carried. Final fees of \$100.00 cash paid by Mr. Wyman.

Ronsani, Joseph Subdivision: 2 parcels from 8 +/- acres. Tax Map # 112 . – 1 – 41 located at 512 Rte 217.

Applicant called on 1/5/09 asking to be continued to the February meeting because his application is before the County Planning Department.

Rob Fitzsimmons brought the Tranchita Maps that were previously approved and stamped for re-stamping.

Motion to adjourn meeting was made by 1st Stephen Hook with a 2nd from Judy Zink. All members were in favor. Meeting adjourned at 8:17 p.m.

Respectfully submitted,
Jodi Keyser
Secretary

