

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes: August 1, 2011
7:00 p.m.**

Approved 9/12/11

Acting Chairperson Judy Zink called the August 1, 2011 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were: Judy Zink, Virginia Ambrose, Brian Goodrich, Nathan Chess, Jay Brousseau, Barrett Mack; attorney, Paul McCreary; engineer, Jodi Keyser; secretary

Absent: Caren Mahar, Stephen Hook

Correspondence:

Received a letter from Enid Futterman regarding the abandonment of Theilmann Rd.

Planning Board members reviewed the minutes of the July 5, 2011 meeting.

Motion to approve the minutes of July 5, 2011 was made by Nathan Chess with a second from Virginia Ambrose. All members were in favor. Motion carried.

CONTINUING APPLICATIONS:

Caputo, Jack & Kathleen Subdivision: Tax Map #(SBL) 132 . 00 – 02 – 02 Subdivision of 5.1 acres into two parcels located at Oak Hill Rd – 840-feet north of Old Barrington Rd.

Mr. Russell, surveyor for the applicant emailed the Planning Board Secretary notifying the Board that the perk testing is not yet complete and he is trying to contact Lewis McNamee regarding the application.

Route 217 LLC: Tax Map #(SBL) 121 . 00 – 01 – 42 Subdivision of 79+/- acres of the Runyon farm property, which lies south of NYS. Rte. 217 into two separate parcels of 22 acres and 57 acres respectively.

No contact from Mr. Mattikow.

Route 217 LLC: Tax Map #(SBL) 121 . 00 – 01 – 41 and 121 . 00 – 01 – 39 and 121 . 00 – 01 - 40 Subdivision of a portion of the of the Runyon farm property, which lies south of NYS. Rte. 217 into two separate parcels.

No contact from Mr. Mattikow.

Motion to mail a letter to Mr. Mattikow informing applicant that he is required to notify the Planning Board Secretary the status of the applications prior to each meeting was made by Nathan Chess with a second from Jay Brousseau. Motion carried. Planning Board Secretary will send correspondence.

Beginnings Properties: Tax Map #(SBL) 122 . – 1 – 39 . 2 and 122 . – 1 – 40 . 12 Boundary Line Adjustment of current lots of 50.26 acres and 36.10 acres into parcels of 46.36 acres and 40.00 acres located at Roxbury Rd. and Theilman Rd.

Mr. Francis Roche was present for the application. Mr. Roche supplied new maps with a slight revision to the location of the Boundary Line Adjustment. Mr. Roche submitted Boundary Line Adjustment Agreement and revised map. Mr. Roche explained and reviewed the change for the Board members. Acting Chairperson Judy Zink opened the meeting to public hearing at 7:15 p.m. No comments closed public hearing at 7:15 p.m. Paul McCreary stated that he is concerned with the 36 acre parcel because of the lack of adequate access to the property from Roxbury Rd. Mr. McCreary continued that he wonders how the landowner will access the property. Nathan Chess stated that he is also concerned and back at issue raised at the June meeting. Mr. Chess continued that he understands that the parcel in question was a previously approved subdivision but the access has changed since the initial approval. Mr. Chess asked if the Planning Board is allowed to now approve a parcel that is landlocked and unbuildable. Barrett Mack explained to the Board that the parcel is part of a previously approved subdivision and the Planning Board does not have jurisdiction to require the applicant to

make the parcel meet subdivision guidelines now. Barrett Mack continued that the applicant is seeking a Boundary Line Adjustment for the other parcel and the Planning Board is not creating a landlocked parcel by granting approval because the landlocked parcel exists because of changes in the terrain have occurred over time. OK to proceed. Nathan Chess then stated that if the parcel in question were ever to be sold it would be up to the buyer to be made aware of the access issue. Jay Brousseau stated that the issue exists and it is not the responsibility of the Planning Board to clean up and the parcel has adequate frontage if someone wanted to build a small home. Virginia Ambrose stated that if it is not the responsibility of the Planning Board to clean up these types of issues then when will they be corrected. Jay Brousseau stated that he had the same issue with his own home and property and needed to receive an area variance from the Town of Claverack Zoning Board of Appeals. Virginia Ambrose stated that the issue might come up at a later date and the Town of Claverack might be required to make a decision then. Paul McCreary reviewed the SEQRA for the Board.

Motion to deem a negative declaration with regard to the SEQRA was made by Virginia Ambrose with a second from Nathan Chess. All members were in favor. Motion carried.

Motion to approve Class 1 Boundary Line Adjustment was made by Jay Brousseau with a second from Brian Goodrich. All members were in favor. Motion carried.

Maps were stamped and signed. Final fees of \$200.00 were paid.

Futterman, Enid: Boundary Line Adjustment of 19 acres from parcel #1 Tax Map # 132 . 00 - -2 – 29 . 111 located at Theilmann Rd. and Old Barrington Rd. being merged to parcel #2 Tax Map # 132 . 00 – 02 – 50 located at 661 Route 23

Ms. Futterman and Sam March were present for the application. Ms. Futterman supplied members with a copy of a letter mailed to the Town of Claverack Board requesting the abandonment of Theilmann Rd. Ms. Futterman also supplied a copy of the Boundary Line Adjustment Agreement. Barrett Mack informed Ms. Futterman that Rob Fitzsimmons had not yet reviewed the document and would do so the next day. Barrett Mack also informed the Board that Rob Fitzsimmons had a conversation with Bill Blaauw regarding the section of Theilmann Rd. Mr. Blaauw was the previous Highway superintendent for the Town of Claverack. Mr. Blaauw informed Mr. Fitzsimmons that this portion of Theilmann Rd. was removed from the Town of Claverack roadway inventory many years ago so it should not be an issue. Nathan Chess asked if there is any other official documentation to verify that the roadway was removed from the Town of Claverack inventory other than Mr. Blaauw's conversation. Barrett Mack informed Mr. Chess that he will have Rob Fitzsimmons check with the official TOC file for this information. Acting Chairperson Judy Zink opened the meeting to public hearing at 7:40 p.m. No comments closed public hearing at 7:40 p.m. Paul McCreary reviewed the SEQRA for the Board.

Motion to deem a negative declaration with regard to the SEQRA was made by Nathan Chess with a second from Jay Brousseau. All members were in favor. Motion carried.

Motion to approve a Class 1 Boundary Line Adjustment subject to Town of Claverack Legal counsel reviewing the Boundary Line Adjustment Agreement was made by Nathan Chess with a second from Virginia Ambrose. All members were in favor. Motion carried.

Maps were stamped and signed and will remain with Barrett Mack until review of the BLA Agreement by Rob Fitzsimmons. Final fees of \$200.00 were paid.

Members discussed the need to change the September meeting due to the Labor Day holiday.

Members agreed to move the September Planning Board meeting to the following Monday, September 12, 2011 at 7:00 p.m.

Motion to adjourn the meeting was made by Nathan Chess with a second from Brian Goodrich. All members were in favor. Motion carried. Meeting adjourned at 7:50 p.m.

Respectfully submitted,
Jodi Keyser
Secretary