

TOWN OF CLAVERACK
PLANNING BOARD
Minutes of December 3, 2012
7:00 p.m.

APPROVED 1/7/13

Chairman Stephen Hook called the December 3, 2012 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were: Chairman Stephen Hook, Judy Zink, Brian Goodrich, Gretchen Stearns, Scott Cole, engineer Paul McCreary, attorney Barrett Mack and secretary Jodi Keyser
Absent: Nathan Chess and Virginia Ambrose

Correspondence: None

Planning Board members reviewed the Minutes of November 5, 2012 meeting. Minor changes were made to spelling and wording. Motion to approve revised minutes was made by Judy Zink with a second from Scott Cole. All members were in favor. Motion carried.

CONTINUING APPLICATIONS:

Wright, Samuel Subdivision: County Rte. 11 & Stevers Crossing Rd. Tax Map #123 . – 2 – 1 .
12 Subdivision of 76.86 acres into 3 parcels.

Sam Wright and Dan Russell were present for the application. Mr. Russell submitted new survey maps. Mr. Russell informed the Board that the new maps show proposed house sites, septic, and perk testing sites on parcels 2 & 3 and a proposed house site on parcel 1. Mr. Russell informed the Board that he added Note 8 to the map stating that the TOC Planning Board waived the perk testing. Brian Goodrich asked about the houses that are shown on parcel #2. Mr. Wright informed the Board that one of the objects are two old houses that are uninhabitable. Gretchen Stearns asked if the Note #8 on the map is understood and clear that upon development the parcel would need to be perk tested. Barrett Mack answered that the note is clear because parcels always need to have perk testing prior to building. Mr. Wright stated that he is asking for the property to be subdivided because he has a person interested in farming parcel #3 through a farm lease and maintain the agricultural exemption. Gretchen Stearns stated that Mr. Holmes who is an applicant before this Board is seeking a Boundary Line Adjustment to make a parcel larger than 5 acres to meet the agricultural exemption for his property. Mr. Holmes then addressed the Board to inform the Board that he was informed that the law states that in order to be considered for agricultural exemption the parcel needs to be at least 5 acres. Mr. Wright stated that is not true about the size of the parcel only that it is considered intensively farmed. Mr. Wright continued that the persons who will be farm leasing the parcel already farm 3+/- acres of more delicate plants at their residence so adding this parcel qualifies. Chairman Stephen Hook opened the meeting to public hearing at 7:11 p.m. No comments. Chairman Hook closed the public hearing at 7:12 p.m. Paul McCreary reviewed the SEQRA for the Board to determine if the proposed action will cause significant environmental impacts. Mr. McCreary answered not to all of the

determining questions and advised the Board that they were free to make a decision on the SEQRA. Motion to accept the SEQRA was made by Judy Zink with a second from Scott Cole. All members were in favor. Motion carried. Motion to declare a negative declaration with regard to SEQRA was made by Brian Goodrich with a second from Judy Zink. All members were in favor. Motion carried. Motion to approve a 3-lot minor subdivision was made by Scott Cole with a second from Brian Goodrich. All members were in favor. Motion carried. Maps were stamped and signed. Check for \$1,000.00 was paid for final fees.

MEMBERS AGREED TO ALLOW THE APPLICATION TO GO OUT OF TURN IN CONSIDERATION OF THE APPLICANT IN ATTENDANCE.

Holmes, Thomas dba RET Holmes Subdivision: 478 Spook Rock Rd. Tax Map #(SBL)130 . 00 – 01 – 20.111 Boundary Line Adjustment of 167.2 +/- acres.

Mr. Thomas Holmes and Matt Bowe were present for the application. Mr. Bowe informed the Board that he submitted the Ag Data sheet on 11/6/12. Chairman Hook reminded the Board that the application was classified at the November 2012 meeting as a Boundary Line Adjustment. Mr. Holmes informed the Board that he is seeking to add a small parcel to a larger parcel to be able to get the agricultural exemption for the property. Barrett Mack informed Mr. Bowe that his office had not received the deed descriptions to review prior to the meeting therefore the Board could grant a conditional approval pending his offices review. Mr. Bowe stated that he believed he had emailed the deed descriptions to Mr. Fitzsimmon's office weeks ago. Mr. Bowe submitted a copy of the deed descriptions to Mr. Mack. Chairman Hook opened the meeting to public hearing at 7:29 p.m. No comment. Chairman Hook closed the public hearing at 7:30 p.m. Paul McCreary reviewed the SEQRA for the Board and deemed it complete and informed the Board could accept the SEQRA and make a determination. Motion to make a negative declaration with regard to SEQRA was made by Scott Cole with a second from Judy Zink. All members were in favor. Motion carried. Motion to grant conditional approval of the Boundary Line Adjustment pending review of the deed descriptions by the Town of Claverack Attorney and authorizing the Chairman to stamp and sign the subdivision maps after review by the Town of Claverack Attorney was made by Gretchen Stearns with a second from Brian Goodrich. All members were in favor. Motion carried. Mr. Holmes was informed by Chairman Hook that he will stamp and sign the subdivision maps as soon as he receives the OK from Rob Fitzsimmon's office. Mr. Holmes was informed that he owed \$300.00 for the application fee and final fee. Mr. Holmes stated that when he receives the maps he will pay the fees.

*Maps were stamped and signed on December 11, 2012 and delivered on December 12, 2012. Mr. Holmes paid his fees by check.

VanWagner-Puff, Laura Subdivision: 139 Bates Rd. Tax Map #(SBL)132 . 00 – 02 – 38 & 132 . 00 – 02 – 39. Subdivision and Merger of 131.103 acres.

Matt Bowe was present for the application. Mr. Bowe informed the Board that he submitted the Ag Data form, new maps were submitted, and the deed descriptions were sent to Rob Fitzsimmons. Barrett Mack informed Mr. Bowe that his office had not received the deed descriptions as of the meeting. Mr. Bowe handed Mr. Mack a copy of the deed descriptions for the subdivision. Mr. Mack stated that his office will need to review the descriptions before the maps can be stamped and signed but the Planning Board can make a conditional approval. Chairman Hook reminded the Board that the application was classified as a Boundary Line Adjustment at the November 2012 meeting. Chairman Hook opened the meeting to public

hearing at 7:40 p.m. No comments. Chairman Hook closed the public hearing at 7:41 p.m. Paul McCreary reviewed the SEQRA for the Board members and informed them that he feels that the proposed Boundary Line Adjustment would not create any significant environmental impacts and that they could make a determination. Motion to accept the SEQRA and make a negative declaration with regard to the SEQRA was made by Brian Goodrich with a second from Judy Zink. All members were in favor. Motion carried. Motion to grant a conditional approval of the Boundary Line Adjustment pending Town of Claverack Attorney review of the deed descriptions and to authorize the Chairman to stamp and sign the maps when notified by the Town of Claverack Attorney was made by Brian Goodrich with a second from Gretchen Stearns. All members were in favor. Motion carried. Secretary Jodi Keyser will retain the maps until she receives word from Rob Fitzsimmons regarding the deed descriptions. Chairman Hook will then stamp and sign the maps and drop them off at the Town of Claverack office for pickup. Mr. Bowe had sent in the application fee and final fee in the amount of \$300.00 prior to the meeting. *Maps were stamped and signed on December 11, 2012 and delivered to the Town of Claverack Office on December 12, 2012.

NEW APPLICATIONS:

Mokotoff, John Subdivision: 331 Rte. 23-B Tax Map#(SBL)120 . – 1 – 4 . 21. Subdivision of 31.7 acres into 4 parcels.

Mr. Howard informed Rob Fitzsimmons via email that his applicant is in the process of a full survey of the property and therefore asked to be continued to the January meeting.

INFORMAL:

Gardner, Russell Boundary Line Adjustment: 141 & 143 Dunbar Rd. Tax Map #(SBL)123 . – 1 – 70 & 123 . – 1 – 46.

Daniel Russell was present for the applicant. Mr. Russell stated that his client owns both of the parcels in the application and is seeking a Boundary Line Adjustment. Mr. Russell continued that both parcels contain houses. Mr. Russell informed the Board that the Boundary Line Adjustment is needed because his client recently installed an in-ground pool and after it was completed he realized that the pool was over the boundary lines for the property. Brian Goodrich asked how this could have happened and why wasn't it discovered when the applicant obtained a Building Permit. Dan Russell stated that he did not have an answer for this mistake but his client is just trying to make it right now. Mr. Russell informed the Board that the maps show changing 141 Dunbar Rd. from the current 2.41 acres into a parcel of 1.44 acres and changing 143 Dunbar Rd. from the current 0.30 acres into a parcel of 1/27 acres. Brian Goodrich asked the zone of the properties. Dan Russell stated that they are situated in RRA zone. Gretchen Stearns stated that RRA allows for parcels of 1 acre. Barrett Mack informed the Board that they are free to classify as a Boundary Line Adjustment. Motion to classify as a minor Boundary Line Adjustment was made by Brian Goodrich with a second from Gretchen Stearns. All members were in favor. Motion carried. Set for public hearing at the January 7, 2013 meeting. Paul McCreary asked if the east lot has adequate frontage. Dan Russell informed the Board that he is not changing the frontage. Barrett Mack informed Mr. McCreary that it would be a pre-existing non-conforming lot. Paul McCreary informed Mr. Russell that by adding only one foot both parcels would then conform to the frontage. Dan Russell stated that he agreed and would redraw the maps. Barrett

Mack informed Mr. Russell that his office needs the deed descriptions prior to the January meeting.

Mr. Russell paid the application fee of \$200.00 with a check.

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 7:55 p.m.

Respectfully submitted,
Jodi Keyser, Secretary