

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes: February 6, 2012
7:00 p.m.**

APPROVED 3/5/12

Chairman Stephen Hook called the February 6, 2012 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were:

Chairman Hook, Judy Zink, Virginia Ambrose, Jay Brousseau, Brian Goodrich, Nathan Chess, attorney Rob Fitzsimmons, engineer Paul McCreary, and secretary Jodi Keyser

Absent with regrets: Caren Mahar

Correspondence: none

Members reviewed the Minutes of November 7, 2011 meeting.

Motion to approve the November 7, 2011 minutes was made by Virginia Ambrose with a second from Jay Brousseau. All members were in favor. Motion carried. Minutes approved.

CONTINUING APPLICATIONS:

None

NEW APPLICATIONS:

Catskillview Rd. Subdivision: Tax Map #(SBL) 132 – 1 – 50 .212, Tax Map#(SBL) 132 – 1 – 50 . 211, and Tax Map #(SBL) 132 – 1 – 50 . 122 Seeking modification of a previously approved subdivision located at Catskill View Rd. to merge three previously approved subdivided lots into one parcel. Francis Roche was present to represent the applicant. Mr. Roche explained that his client is seeking to merge 3 parcels of a previously approved subdivision on Catskill View Farm Rd. Mr. Roche continued that the Columbia County Real Property Office requires proof of approval of the merger from the Town of Claverack Planning Board. Mr. Roche submitted an application for the merger, maps showing lot lines between parcels #4, 5, 6 that will be removed, and a deed stating that the parcels will be merged by owner Chris Jones to Chris Jones. Nathan Chess asked if the previously approved parcels will retain their 25% conservation easement areas and be separated or will a new contiguous conservation easement area be delineated for the newly created merged parcel. Nathan Chess continued that he would prefer that Mr. Jones delineate a contiguous conservation easement area for the merged parcels and would request a new map showing the new parcel with the conservation easement delineated. Mr. Roche will provide a copy of the filed conservation easement and continued that the conservation easement will remain as previously approved and it is actually a contiguous area and the previously approved rain garden areas will remain the same will remain as the stormwater management area. Nathan Chess then asked if the structure currently under construction is on one of the merging parcels. Mr. Roche stated yes but he is not sure which parcel it would have been. Mr. Roche informed the Board that his client has a draft easement with Columbia Land Conservancy. Nathan Chess asked if Mr. Jones is dedicating several parcels or just the protected areas to the CLC. Mr. Roche stated that the draft easement indicated 31 acres but he does not have the actual map so he is not sure of the actual area. Mr. Roche stated that he would supply a CLC map if needed. Nathan Chess asked if the deal is finalized yet. Mr. Roche stated that the agreement between Mr. Jones and CLC is just about complete with CLC doing some final tweaking before they tell the final costs. Jay Brousseau informed Mr. Roche that the CLC does not trump the Town of Claverack. Rob Fitzsimmons informed the Board that the CLC is not changing the approved Plot Plan but will designate specific areas for development and limit development in areas. Jay Brousseau stated that the applicant is just asking to merge 3 previously approved parcels into one parcel and is not eliminating protected areas.

Rob Fitzsimmons informed the Board that he can't say that the merger makes any difference to the tax base. Howard Branston stated that he was curious about the protected easement areas. Rob Fitzsimmons stated that the Columbia County Real Property Office is asking for proof of approval for the merger from the Town of Claverack Planning Board.

Motion to approve merger of previously approved subdivision parcels numbered 4, 5, and 6 on a subdivision map titled "Catskill View Subdivision" filed March 2007 and revised December 18, 2008 and allow parcels numbered 4, 5, and 6 to be combined into one new lot and tax parcel with designated conservation easement areas remaining as previously approved was made by Virginia Ambrose with a second from Jay Brousseau. All members were in favor. Motion carried.

Nathan Chess requested that Clark Engineering bring all maps up to date and current. Rob Fitzsimmons stated that the application is not a Boundary Line Adjustment but the removal of lines of separation. Rob Fitzsimmons continued that other towns allow without charging applicant. Jay Brousseau stated that it is a benefit to the Town of Claverack so feels no need to charge.

ESL Partners LLC Subdivision: Tax Map #(SBL) 121 . - 1 - 28 . 111

Located on the north side of Rte. 217. Two lot subdivision of 142.93 acres into parcels of 4.12 acres and 138.81 acres respectively.

Peter Greer was present for the application. Mr. Greer explained to the Board that he owns 142 acres of the former Runyon farm on NYS Rte. 217 abutting the Columbia Golf and Country Club. Mr. Greer informed the Board that he is seeking to subdivide a 4.12 acre parcel containing a small house from the 142 acre parcel. Mr. Greer stated that he owes the bank and would like to sell the 4.12 acre parcel and house. Mr. Greer continued that he will restrict further subdivision of the small parcel and require the purchaser to repair and restore the small white house and not allow for it to be torn down. Mr. Greer continued with a general overview of his vision for the remaining property. Mr. Greer stated that it is important to him to retain farming and open space with a low density subdivision containing small homes but that is in the future and he will return with a finalized plan at a later date. Mr. Greer informed the Board that Ken Ruynon farms the remaining parcel by leasing it from ESL Partners for \$1.00 a year. Mr. Greer indicated that neither the small parcel nor the larger remaining parcel have delineated wetlands. Mr. Greer asked that the perk test for the large parcel be waived by the Planning Board. Chairman Stephen Hook reviewed that the application is seeking to only subdivide the small 4.12 acre parcel and house from the property. Rob Fitzsimmons asked if the Board members felt that waiving the perk testing on the large parcel was feasible. Jay Brousseau stated that there are other septic systems within close proximity which would allow for the waiver of a perk test on the remaining 132 acre parcel. Virginia Ambrose stated that future subdivision of the 132 acre parcel would require perking of the parcels. Brian Goodrich stated that the maps should show the well and existing septic system on the 4.12 acre parcel. Mr. Goodrich asked the age of the small house. Mr. Greer stated that he was unsure of the actual age of the residence but it was old. Mr. Goodrich stated that Mr. Greer should find out the age of the house and the integrity of the septic system. Mr. Greer stated that he is selling the parcel and house as is. Nathan Chess informed Mr. Greer that the Town of Claverack Planning Board can not approve the subdivision unless is delineated or perk testing is done. Jay Brousseau asked what other parcels have been subdivided from this property. Mr. Greer stated that he is unsure of previous subdivisions. Jay Brousseau reminded the Board that there were questions with regard to this property and segmentation and that the Town of Claverack Planning Board would require a build-out plan with any future subdivision. Rob Fitzsimmons stated that the number of previous subdivisions does not impede this subdivision from progressing or restrict the application it only determines the classification of the subdivision and the costs. Jay Brousseau informed Mr. Greer that future subdivisions would be considered as major subdivisions. Jay Brousseau continued that he sees proposed driveway/farm entrances and asks if the applicant has NYS DOT permits. Mr. Greer stated that his surveyor Dan Russell informed him that the proposed driveways would require NYS DOT approval and they would need to get this at such a time that the 132 acre parcel is subdivided. Jay Brousseau asked if these proposed driveway/farm entrances are actually existing farm entrances. Rob Fitzsimmons informed the applicant that farm entrances have fewer requirements from NYS DOT but will need a letter from NYS DOT. Rob Fitzsimmons continued that the applicant should have his surveyor remove

“proposed driveway” from the maps and only leave “existing farm entrance” and to show the septic on the small parcel. Virginia Ambrose stated that she is not sure if the subdivision is considered a major or minor subdivision. Nathan Chess made the motion to classify as a 2-lot minor subdivision, waive the perk testing on the remaining 132 acre parcel #2, and remove the “proposed driveway” and leave only “existing farm entrances”, show existing septic system on parcel #1, and note on map no future subdivision of parcel #1 with a second from Jay Brousseau. All members were in favor. Motion carried. Mr. Greer was informed that the revised maps would be needed by February 17, 2012 to be set for public hearing on March 5, 2012.

Peter Tjark Reiss Subdivision: Tax Map #(SBL) 112 – 02 – 47 . 2

Located on Roxbury Rd. Subdivision of 63 +/- acres into four (4) parcels of 1.976 acres, 1.705 acres, 1.615 acres, and 57.903 acres respectively.

Jeff Plass and Peter Reiss were present for the application. Mr. Plass explained to the Board that Mr. Reiss is seeking to subdivide 3 parcels from 60 acres that he owns on Roxbury Rd. Mr. Plass continued that each of the 3 parcels are under 2 acres a piece. Mr. Reiss explained that he is applying for the subdivision so that he can give each of his children a piece of property to build. Mr. Plass informed the Board that septic systems were designed and they were sent to the CC DOH for approval. Mr. Plass submitted a letter from TOC Highway Superintendent Louis Lamont approving two driveways. Mr. Plass will have Mr. Lamont provide a new letter for approval of 3 driveways. Mr. Reiss informed the Board that he has a current agreement with the Columbia Land Conservancy and he submitted a letter from the CLC approving the subdivision. Mr. Reiss informed the Board that his agreement with CLC stipulated that he could subdivide up to 3 parcels from his property. Mr. Plass informed the Board that the maps show delineated wet lands but they are not impacted by the proposed subdivision. Rob Fitzsimmons asked if the roadway referred to as Woods Rd. is an approved road. Mr. Reiss stated no it is not actually a roadway only as stated a road through the woods hence woods road. Jay Brousseau asked if all of the parcels meet setbacks. Mr. Plass stated yes. Jay Brousseau stated that parcel #4 shows a setback of 50 feet at the roadway but frontage needs to be at 50-foot back. Mr. Plass stated that he will check but he is pretty sure that it meets the setbacks. Mr. Plass also informed the Board that the maps were sent to the NYS DEC. Mr. Plass informed the Board that he expects to have an approval letter from the CC DOH soon. Mr. Plass will have the septic engineer Pat Prendergast provide a set of the plans to Paul McCreary for review. Nathan Chess stated that he would like to see a note on the maps that the CLC has approved the subdivision and that there can be no further subdivisions of this property. Mr. Plass stated that he will add this note to the maps. Virginia Ambrose stated that it is a good idea to have these types of notes on maps. Rob Fitzsimmons stated that anyone doing a title search of the property would find. Mr. Plass stated that any surveyor should have notation of any document affecting the property on subdivision maps. Mr. Plass stated that he is awaiting a letter from NYS DEC approving the wetland delineation. Rob Fitzsimmons asked Paul McCreary if he has any questions regarding the septic designs. Paul McCreary stated that an approval of the septic systems is up to the CC DOH and they are engineered systems but would like to review. Chairman Stephen Hook stated that the plan creates 4 new parcels.

Motion to classify as a 4-lot minor subdivision was made by Nathan Chess with a second from Brian Goodrich. All members were in favor. Motion carried. Set for public hearing for March 5, 2012.

Informal:

Keegan, James & Margaret:

Rob Fitzsimmons presented an informal application on behalf of James and Margaret Keegan seeking to merge two parcels on Maple Ave. in Claverack. Rob Fitzsimmons supplied maps and explained that when the Keegan’s purchased their property they also purchased a small parcel that went across the back of the school district land to make it easy for neighborhood children to walk to school. Rob Fitzsimmons informed the Board that the Keegan’s are seeking to merge the two parcels because they are charged water fees on both parcels because they have separate tax map numbers. Rob Fitzsimmons reviewed the maps to show that the parcel along the Hudson City School District property is a weird configuration of land and

can not be used and therefore would make sense to merge. Rob Fitzsimmons reminded the Board that the Real Property Office needs to see Town of Claverack approval for the merger before they accept it. Motion to approve merger of Tax Map #(SBL) 121 . 3 – 1 -42 parcel with Tax Map #(SBL) 121 . 3 – 1 – 43 was made by Jay Brousseau with a second from Virginia Ambrose. All members were in favor. Motion carried.

Motion to adjourn the meeting was made by Jay Brousseau with a second from Virginia Ambrose. All members were in favor. Meeting adjourned at 8:00 p.m.

Respectfully submitted,
Jodi Keyser
Secretary