

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes: October 4, 2010
7:00 p.m.**

APPROVED 11/1/10

Chairman Jay Brousseau called the October 4, 2010 meeting to order at 7:00 PM
Members in attendance were: Chairman Brousseau, Caren Mahar, Stephen Hook, Daniel Northrup, Virginia Ambrose, Nathan Chess, Attorney; Barrett Mack, Secretary; Jodi Keyser
Absent with regrets were: Engineer; Joe Romano, Judy Zink

Correspondence

Letter of resignation from Daniel Northrup effective at the end of the October meeting.
Hudsonia Biodiversity Assessment Course October 19th – 21st.
Town of Claverack Building Inspectors Report for August 2010.

Board members reviewed the Minutes of September 13, 2010 meeting.
Motion to approve the September 13, 2010 minutes with minor corrections was made by Virginia Ambrose with a second from Daniel Northrup. All members were in favor with the exception of Caren Mahar who abstained. Motion carried.

Becker, Blake & Adam: Lot Line Adjustment Preusser Road. Tax Map #(SBL) 133 . 00 – 01 – 09. Changing two lots consisting of 9.67 acres and 2 acres into two parcels of 10.67 acres and 1 acre respectively. Mr. Russell was not present for the application nor did the Secretary hear from him prior to the meeting. Chairman Brousseau stated that this is the second missed meeting. Chairman Brousseau continued that if the applicant fails to make it to the November meeting the applicant will be notified that the application is in jeopardy of being shelved.

Casivant, Ronald & Melissa: Subdivision of a 3-acre parcel from 33.192 acres located at 70 Humane Society Rd. Tax Map #(SBL) 101 – 1 – 47.
Mr. Santos is the surveyor hired by Melissa and Ronald Casivant and was present to represent the application. Mr. Santos informed the Board that the two applicants are seeking to subdivide a 3-acre parcel from 33.192-acres, which they own at the corner of Rte. 66, and Humane Society Rd. The 3-acre parcel will then be deeded to Melissa Casivant for the purpose of construction of a single-family residence. Chairman Brousseau asked Mr. Santos when the original lot was deeded. Mr. Santos stated that he believed the original lot was part of property from 1800's and the power line easement was done in 1932. Mr. Santos stated that the parcel in question is one of 4 original parcels of Sandra Casivant. Nathan Chess asked if the applicant is the same as mentioned in the Building Inspectors violations. Board members informed Mr. Chess that it is a different family from Philmont. Chairman Jay Brousseau stated that after reviewing the maps both the new parcel and the remaining parcel have adequate frontage. Chairman Brousseau informed Mr. Santos that the application needs TOC Highway approval and CC Department of Health permit. Caren Mahar stated the maps need to show house site, well site, septic area, and driveway. Chairman Brousseau instructed Mr. Santos to contact the CC DOH to schedule perk tests for the newly created parcel but it is not needed for the original parcel due to existing well and septic. Nathan Chess alerted Mr. Santos to a typo within the map notes. Chairman Brousseau informed Mr. Santos that he needs to update the map notes to meet TOC subdivision regulations, i.e. potable water. Motion to classify as a 2-lot minor subdivision was made by Nathan Chess with a second from Caren Mahar. All members were in favor. Motion carried. Mr. Santos will return to the November meeting. Scheduled public hearing at that time.

Informal:

Triform Community/Millbrook Rd.:

Chairman Jay Brousseau updated the Board members on the possible application from Triform. Triform has purchased the former Millbrook Rd. subdivision and seek options on the previously approved subdivision and

the road bond. Nancy Sciocchetti is an attorney representing Triform along with Keith Bogdon from Triform. Ms. Sciocchetti informed the Board that Triform is a non-for-profit entity, which is currently located in Livingston. Ms. Sciocchetti continued that Triform purchased the former Millbrook Rd. subdivision to expand their operation. Ms. Sciocchetti stated that the property currently has two houses on two of the parcels. Ms. Sciocchetti stated that Triform currently has clients living in those houses. Ms. Sciocchetti informed the Board that the applicant does not intent to build any other houses, sell any parcels, and therefore do not need the previously approved subdivision. Ms. Sciocchetti informed the Board that there are two issues that she is seeking advice for. One is the roadway bonding \$450,000.00 required of the previous owner by the TOC. Ms. Sciocchetti informed the Board that when Triform purchased the property they took over the bonding also. The TOC holds the roadway bond until the road is completed to TOC specs. Ms. Sciocchetti stated that the roadway is 75% complete only lacking the top layer of asphalt. Ms. Sciocchetti continued that the applicant will not be dedicating the roadway to the TOC because the new plan calls for the properties to all be combined back into one original parcel. Ms. Sciocchetti informed the Board that she has met with Supervisor Robin Andrews regarding this situation and Supervisor Andrews suggested the applicant seek TOC Planning advice. Ms. Sciocchetti stated that the roadway would be a private roadway with no public access. Ms. Sciocchetti stated that during the meeting with Supervisor Andrews she suggested the Planning Board might be able to release the roadway bonding money. Barrett Mack stated that he met with Rob Fitzsimmons regarding Triform. Barrett Mack continued that the roadway bonding is not something that the Planning Board can release because the TOC Town Board is the entity that releases bonding. Barrett Mack informed Ms. Sciocchetti that they need to file for a Special Exception Permit with the TOC ZBA for the roadway change. Mr. Mack continued that after the ZBA has made a determination the applicant should file an application with new maps with the Planning Board. Nathan Chess then asked if the previous applicant abandons the subdivision then does it not revert automatically back into a single parcel. Caren Mahar and Virginia Ambrose both stated that the applicant needs a new subdivision approval because the parcels are already separated with individual tax map numbers. Ms. Sciocchetti stated that she believes that frontage is not going to be an issue because the existing houses are being used by a non-for-profit membership organization and the property will be made back into one single parcel. Ms. Sciocchetti informed the Board that there are existing houses on lots # 18 and #21, which are currently being used by members of Triform. Ms. Sciocchetti stated that her client is willing to agree and make a commitment in writing if they are able to access the road bonding money. Nathan Chess stated that the Planning Board is actually the last Board that needs to agree to the project. Mr. Chess informed the applicant that they need to start with the TOC Town Board regarding the bonding and abandonment issues. Mr. Chess continued that the applicant then needs to file for a Special Exception Permit with the TOC ZBA seeking a change of use for the property that being of a non-for-profit membership organization. Chairman Jay Brousseau informed the applicants that the Planning Board will need updated maps, applicant needs to be turned down for a building permit then apply for a Special Exception with the TOC ZBA. Chairman Brousseau instructed Ms. Sciocchetti to contact TOC Building Inspector, Stan Koloski to be sure they are proceeding in the right direction. Chairman Brousseau informed the applicants that the two existing houses creates somewhat of a problem because the ZBA might allow for 1 parcel containing two houses or want to see two parcels each with one house. Nathan Chess asked the applicant if they this purchase is an expansion of the Livingston site. Mr. Bogdon stated it is an expansion of the Livingston property but will be a slow growth. Virginia Ambrose asked how many houses do you see in the future? Ms. Sciocchetti stated that Triform is a community like Camphill Village and they have 7 houses at the site in Livingston, which is at capacity.

Needs: Revised maps – Deeds rewritten and submitted to Rob Fitzsimmons – Follow up with Rob. Chairman Brousseau informed the applicants that the Planning Board will work with as much as possible. Ms. Sciocchetti stated that they need the bonding money back ASAP because it is a large amount to have in limbo. Chairman Brousseau informed the applicant that at the September meeting of the Planning Board he received a letter from NYSDEC that the permit for the pond was rescinded. Chairman Brousseau asked Mr. Bogdon if he is working with the Columbia County Land Conservancy. Mr. Bogdon stated not at this time but would like to work with the Town of Claverack in the future. Chairman Brousseau instructed Ms. Sciocchetti to call the Town Office to ask to be added to the TOC Town Board meeting agenda for the upcoming meeting to start the ball rolling. Barrett Mack informed the applicants that he can not guarantee the Town of Claverack Town Board will allow giving back the roadway bonding money until everything is finished with all of the issues.

Nathan Chess also had a question that if there are people living in the houses what is the 911 numbers for those houses? Mr. Chess stated that this could be a problem if there is ever an emergency at the site. Mr. Bogdon stated that the address is Cloverdale Rd. Mr. Chess stated that he will look into the issue with the Churchtown Fire Co.

Brooks, Karen:

2359 Rte. 27. Seeking to subdivide a parcel of 3.3-acres containing 292 feet of road frontage into two parcels of 1.5-acres and 1.5+/- acres. Nathan Chess stated that there might be an issue with frontage and survey maps are needed to determine the exact frontage. Chairman Brousseau instructed the applicant to obtain accurate survey maps, TOC highway department permit for line of sight and curb cuts, CC DOH perk tests, and an Ag data form filled out.

Kippy Weigelt then entered the meeting handing Secretary Jodi Keyser a memo for the Board members to discuss. Board members discussed the memo and members will look into the issues further.

Motion to adjourn the meeting was made by Stephen Hook with a second from Caren Mahar. All members were in favor. Motion carried. Meeting adjourned at 8:15 p.m.

Chairman Jay Brousseau thanked member Daniel Northrup for his service to the Planning Board.

Respectfully submitted,

Jodi Keyser
Secretary