

**TOWN OF CLAVERACK  
PLANNING BOARD  
Minutes: October 3, 2011  
7:00 p.m.**

**Approved 11/7/11**

**Acting Chairperson Judy Zink called the October 3, 2011 meeting of the Town of Claverack Planning Board to order at 7:00 pm.**

**Members in attendance were: Acting Chair Judy Zink, Caren Mahar, Virginia Ambrose, Nathan Chess, Brian Goodrich, attorney Rob Fitzsimmons, engineer Paul McCreary, and secretary Jodi Keyser**

**Absent with regrets: Chairman Stephen Hook and Jay Brousseau**

**Members reviewed the minutes of the September 12, 2011 meeting.**

**Motion to approve the September 12, 2011 minutes was made by Caren Mahar with a second from Brian Goodrich. All members were in favor. Motion carried.**

**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.

Dan Russell submitted new maps showing the driveway distances and a letter from Town of Claverack Highway Superintendent Louis Lamont. Members agreed that these items meet the requirements set forth at the September meeting. Acting Chairperson Judy Zink then stamped and signed the maps. Final fees of \$200.00 were received.

**Shumsky, Ann Subdivision:** Tax Map #(SBL) 141 – 01 – 39 Subdivision of 3.821 acres located at 2281 NYS Route 27 Stop 16.

Jennifer and Stephen Shumsky were present and explained that due to a delay with the bank they were unable to file the approved maps within the 60 day time frame.

Motion to re-stamp, date, and sign the previously approved subdivision map was made by Virginia Ambrose with a second from Caren Mahar. All members were in favor. Motion carried. Maps re-stamped, signed, and dated. Fee of \$20.00 for re-stamping was received.

**CONTINUING APPLICATIONS:**

**Route 217 LLC:** Tax Map #(SBL) 121 . 00 – 01 – 42 Subdivision of 141 +/- acres of the Runyon farm property, which lies south of NYS Rte. 217 into two separate parcels of 22 acres and 119.02 acres respectively.

Mr. Mattikow, Mr. Roche, and Dan Russell were present for the application.

Mr. Roche submitted a letter from Monahan Title stating the southern Rte. 217 portion of the Runyon property was never subdivided previously. Nathan Chess asked if the division of the property by NYS Rte. 217 constitutes a separation. Rob Fitzsimmons informed the Board that the separation of NYS Rte. 217 is a de-facto subdivision. Mr. Roche submitted the Ag. Data statement. Nathan Chess asked if the applicant has received the NYS DOT curb cuts approval letter, 100 year flood plain shown on maps, CC DOH perk testing results on Parcel #1 with Parcel #2 waived, a revised SEQRA, and details of septic, well, house, and driveway delineated on the maps.

Mr. Russell submitted new maps showing 100-year flood plain delineated, curb cuts for driveway, perk test sites, proposed septic site, and an approval letter from CC DOH. Nathan Chess informed the applicant that they need NYS DOT curb cut approval on Parcel #2 because that can not be waived. Dan Russell stated that he thought that both CC DOH and NYS DOT were waived on Parcel #2. Nathan Chess informed the applicant that NYS DOT curb cuts are not something that the Planning Board can waive. Rob Fitzsimmons informed the applicant that NYS DOT curb cuts are required on all parcels prior to approval so the Planning Board is assured that they are not approving an un-buildable parcel. Mr. Roche stated that he will work on the NYS DOT approval for Parcel #2. Nathan Chess then asked Rob Fitzsimmons if he found an answer to who is able to represent applications. Rob Fitzsimmons informed the Board that anyone can be delegated to represent an application. Mr. Roche asked the Board to set public hearing for the November 7, 2011 meeting.

Motion to classify as a 2-lot minor subdivision and set public hearing for November 7, 2011 was made by Caren Mahar with a second from Virginia Ambrose. All members were in favor. Motion carried.

Application continued to November 7, 2011 and set for public hearing.

**Catskillview Rd. Subdivision:** Tax Map #(SBL) 132 – 1 – 49 & 132 – 1 – 50 Seeking modification of a previously approved Subdivision located at Catskill View Rd.

Everett Quackenbush was present for the application. Mr. Quackenbush reminded the Board that Mr. Jones is seeking to modify his previously approved subdivision by changing the center of the cul-de-sac from pavement to grass, place a layer of oil and stone on top of the approved TOC highway specification built roadway, and change the shoulder material to stone. Nathan Chess asked if Mr. Quackenbush had contacted TOC Highway Superintendent Louis Lamont regarding the modifications. Nathan Chess continued that the roadway is being dedicated to the Town of Claverack therefore TOC Highway should approve any changes to the roadway and cul-de-sac. Mr. Quackenbush informed the Board that Clark Engineering has made several attempts to contact Mr. Lamont regarding the proposed changes but due to the long stretch of rain Mr. Lamont has been very busy and out of the office. Paul McCreary asked if Rob Fitzsimmons reviewed the past minutes when the application was approved to see if there were any requirements from the Planning Board or TOC Highway calling for pavement of the interior circle of the cul-de-sac. Rob Fitzsimmons stated that eyelet type cul-de-sacs have been done in the past, oil and stone on top of the built to spec roadway might require TOC Highway approval, and the change in shoulder material will require TOC Highway approval. Rob Fitzsimmons asked for clarification on the change of shoulder materials. Mr. Quackenbush stated that the approved plan calls for a 4-foot asphalt shoulder and they are seeking to modify that to 4-feet of crushed stone. Paul McCreary stated that he sees a wetland delineated on the map that is within the interior of the cul-de-sac. Mr. McCreary informed the Board that while he was reviewing the maps he noticed a wetland located within the center of the cul-de-sac that was a paved area. Mr. McCreary continued that the paved area that will now be grass should have the wetland delineated and urged that some sort of drainage under the cul-de-sac be engineered. Mr. McCreary stated that the area will collect water and in his opinion will need drainage. Rob Fitzsimmons stated that the changes could create some new maintenance issues for the TOC Highway Department. Rob Fitzsimmons informed the Board that he will contact TOC Highway Superintendent Louis Lamont for answers. Nathan Chess informed the Board that work is happening on the site and the roadway is in production. Mr. Chess asked if bonding and stormwater permitting is in place. Rob Fitzsimmons will send correspondence to Clark Engineering and will set up reviews. Paul McCreary stated that since work has begun on the site the applicant will need to file a notice of intent with NYS DEC and urged the Board to require a copy of the application. Nathan Chess asked Mr. Fitzsimmons to send an official letter to TOC Highway Superintendent Louis Lamont addressing the proposed changes. Continued to November.

**L. Elliott Bristol Estate Subdivision:** Tax Map #(SBL) 121 . 00 – 01 – 03 Subdivision of approximately 47 +/- acres into 3 parcels located on NYS Rte. 9-H and Old Lane in Claverack.

Jeff Plass and Mr. Bristol were present for the application. Mr. Plass informed the Board that the CC DOH will be at the site on Tuesday, October 4<sup>th</sup> to perform perk testing so the results are not yet available for this meeting. Mr. Plass continued that TOC Highway Superintendent Louis Lamont was unable supply a letter for the curb cuts because he is unsure of the name of the roadway to the water tower. Rob Fitzsimmons stated that he thought the name of the roadway was Tower Rd. but he will check to make sure of the exact name. Mr. Plass stated that he has spoken with NYS DOT representative Mr. Visconti but does not have an official approval letter. Nathan Chess stated that he wants to be clear on the amount of parcels being subdivided. Mr. Plass stated that the property was previously subdivided and with these three makes a total of four which constitutes a minor subdivision. Nathan Chess asked that a note be placed on the maps indicating any further subdivisions will constitute a major subdivision. Rob Fitzsimmons stated that the TOC Planning Board can not require the applicant to place that sort of note on a map. Mr. Fitzsimmons stated that future subdivision applications will be asked to supply a title review to show proof of previous subdivisions.

Mr. Plass informed the Board that his client is trying to finish and clean up this subdivision to finalize the estate. Mr. Plass asked that the Board grant conditional approval pending receipt of NYS DOT curb cuts permit and CC DOH perk test approval. Acting Chairperson Judy Zink opened the meeting to public hearing at 7:47 p.m. No comments were received. Closed public hearing at 7:47 p.m. Rob Fitzsimmons then asked the Board if they felt

comfortable granting conditional approval pending NYS DOT curb cut approval, CC DOH perk test approval, and TOC Highway curb cuts.

Motion for negative declaration with regard to SEQRA was made by Virginia Ambrose with a second from Caren Mahar. All members were in favor. Motion carried.

Motion to grant conditional approval the 3-lot minor subdivision pending receipt of NYS DOT curb cut approval, CC DOH perk test approval, and TOC Highway curb cut approval and to empower Chairman to review letters and then stamp and sign the maps was made by Virginia Ambrose with a second from Caren Mahar. All members were in favor. Motion carried. Mr. Plass stated that he will add the perk testing site locations to the maps after CC DOH visit.

**Walk-in** from Matt Bowe for suggestions on a proposed subdivision on Bates Rd. Members looked at some rough survey maps and determined the location to be within the RRA zone allowing a minimum 2-acre per parcel. Mr. Bowe will contact the secretary when he is ready to file a formal subdivision application.

**Altobello merger:**

Rob Fitzsimmons informed the Board that he was contacted by Attorney Gutterman regarding the previous Johnson property on Johnson Mr. Fitzsimmons continued that the current owner Mr. Altobello is seeking to merge the 2 parcels into one single parcel. Mr. Fitzsimmons stated that the Office of Real Property asks that the owner of the property supply a letter from the TOC Planning Board giving their approval to the merger. Nathan Chess stated that he does not have any problem with the merger but at some point the TOC Planning Board should require some sort of compensation for the review.

Motion that the Town of Claverack Planning Board has no objections to the merger of the two separate parcels of land located on Johnson Lane and commonly owned by Altobello was made by Virginia Ambrose with a second from Caren Mahar. All members were in favor. Motion carried.

Motion to adjourn meeting was made by Caren Mahar with a second from Virginia Ambrose. All members were in favor. Meeting was adjourned at 8:17 p.m.

Respectfully submitted,  
Jodi Keyser  
Secretary