

**TOWN OF CLAVERACK  
PLANNING BOARD  
Minutes: April 4, 2011**

**Approved May 2, 2011**

**Chairman Stephen Hook called the April 4, 2011 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.**

**Members in attendance were: Chairman Hook, Caren Mahar, Judy Zink, Jay Brousseau, Nathan Chess, Attorney; Rob Fitzsimmons, Engineer; Paul McCreary, and Secretary; Jodi Keyser.**

**Absent: Virginia Ambrose**

**Correspondence:**

**Town of Claverack Building Department report for January 2011.**

**Dutchess County Planning Federation Short Courses held on April 20<sup>th</sup> and April 26<sup>th</sup> in Millbrook, NY.**

**NYS DEC proposed changes to the SEQRA applications email.**

**Nuggets and Nibbles December 2010 and Winter editions.**

**Cornell Local Roads program workshops for Spring 2011**

**Columbia County Land Conservancy letter to TOC Assessor for tax exemption.**

**Bond Schoeneck & King PLLC Municipalities Conference on April 14, 2011 in Albany.**

**Jay Brousseau asked that it be entered into the Minutes that he has not stamped or signed the Skabowski maps that were approved at the December 6, 2010 Planning Board meeting. Jay Brousseau reminded the Board that the application was approved with the conditions of the deeds rewritten and then he would stamp and sign the maps. Jay Brousseau continued that he did see the applicant's surveyor, Jeff Plass and asked him if the deeds were done. Mr. Plass stated that he has not yet received rewritten deeds as yet. Rob Fitzsimmons stated that he has not yet received any new deeds to review either. Rob Fitzsimmons will contact Mr. Plass for the status of the deeds. Rob Fitzsimmons also stated that since the approval of the application the Chairman of the Planning Board has changed but it would be fine for the new Chairman, who was at the time a member of the Planning Board, to stamp and sign the maps when the deeds are completed.**

**Members reviewed the minutes of December 6, 2010 meeting.**

**Motion to approve the minutes of the December 6, 2010 meeting was made by Caren Mahar with a second from Judy Zink. All members were in favor. Motion carried.**

**NEW APPLICATIONS:**

**Tri-Form Enterprises Inc.: Tax Map #(SBL) 141 . - 3 - 1 Merger a 49-lot previously approved subdivision into 1(one) parcel consisting of 234 acres for the establishment of a non-profit group/family home – membership club for individuals with disabilities. Located at former Stewardship on Millbrook Rd. property.**

**Owner; Keith Bogdonovich and engineer; Pat Prendergast were present for the application. Mr. Prendergast reminded the Board members that his client has purchased the former Stewardship on Millbrook Rd. property as Triform Foundation which is a membership group dedicated to helping disabled young adults to learn living skills. Mr. Prendergast informed the Board that his client is seeking to dissolve the approved 49-lot subdivision creating a single parcel containing two homes and other existing buildings. Mr. Prendergast informed the Board that the applicant has gained a ZBA Special Exception Use for the membership/club use of the property. Rob Fitzsimmons informed the Board that the application was granted Special Exception Use by the Town of Claverack ZBA and is now seeking approval from the Planning Board to dissolve the previously approved subdivision. Mr. Fitzsimmons continued that the Triform Foundation's use is different from the previously approved use and will therefore not require the roadway to be built to the Town of Claverack roadway specifications because it will be a private driveway. Mr. Bogdonovich informed the Board members that in order to recoup the \$500,000.00 roadway bond a ZBA approval, Planning Board approval and Town Board approval was needed. Mr. Bogdonovich continued that he has obtained all of the above except approval to dissolve the previous subdivision from the Planning Board. Rob Fitzsimmons informed the Board that the applicant has a revised developer agreement with the Town of Claverack stating that the roadway is a private driveway and will not be the responsibility of the Town of Claverack. Mr. Fitzsimmons also informed the Board that any changes of use, additions, or expansions of the site will require Town of Claverack Zoning Board of Appeals approval. Rob Fitzsimmons continued if the property were purchased in the future it would be subject to a new subdivision approval from the Town of Claverack Planning Board. Nathan Chess asked about 3 other structures on the property and if there are any changes to these structures will that require ZBA approval. Rob Fitzsimmons stated yes that any new structures, modifications to existing structures or additions would require Town of**

Claverack Zoning Board of Appeals approval. Nathan Chess then asked if the applicant has any future plans for the property. Mr. Bogdonovich stated that the Foundation would like to possibly construct a couple more homes on the property in the future but construction is very costly. Nathan Chess then stated that he is understanding that the applicant is a not-for-profit foundation but it was the last chance to ask for them to consider a possible payment or PILOT donation to the Town of Claverack. Mr. Bogdonovich stated that he could not make any promise because the Triform Foundation is run by a Board of Directors and it would be their decision to make any donations.

Motion to approve merger of previously approved 49-lot subdivision was made by Caren Mahar with a second from Judy Zink. Jay Brousseau stated that the maps state roadway but they should state paved driveway so there is no confusion. Pat Prendergast will change and supply official maps.

**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.

Lewis McNamee was present for the application Mr. McNamee stated that his client is seeking to subdivide there property into two parcels on 2.70 and 2.40 acres respectively. Parcel #1 has existing house and driveway. Chairman Stephen Hook informed the applicant that he will need Town of Claverack Highway approval for curb cuts and perk testing on parcel #2. Also need to show proposed well and septic sites on parcel #2. Application has Ad Data and SEQRA provided. Motion to classify as a 2-lot minor subdivision was made by Judy Zink with a second from Caren Mahar. All members were in favor. Motion carried.

Dan Russell asked the Board if they would consider holding public hearing at the May 2011 meeting and possible conditional approval pending DOH perk testing. Rob Fitzsimmons stated that the Planning Board does not usually conditional approval pending perk testing but if the applicants get the information to Paul McCreary and if OK could set public hearing. Mr. Fitzsimmons continued that if there were any problems with the perk testing the public hearing could be continued to the next meeting. Set public hearing in May.

**Route 217 LLC:** Subdivision of portion of the Runyon farm property, which lies south of NYS. Rte. 217.

Mr. Mattikow is the representative for the principal that is purchasing the property. Mr. Mattikow explained to the Board that the application is seeking to purchase the Runyon property on the southerly side of NYS Rte 217. Mr. Mattikow stated that the application is actually 2 separate 2-lot subdivisions because the property has two separate tax map numbers. Rob Fitzsimmons stated that there should then be two separate applications for the two different subdivisions. Mr. Mattikow stated that the Runyons have no subdivision of the properties in question since 1967 cutoff therefore it should not be considered a major subdivision. Jay Brousseau stated that he remembered specifically referring to the minutes a possible subdivision that any further subdivision would be considered a major subdivision because of segmentation concerns. Mr. Mattikow informed the Board that the northwest side of the property was subdivided in the past but this is the other side of Rte 217 and has separate tax map numbers. Mr. Russell informed the Board that the property on the southerly side which contains the barns and house have three separate tax map numbers and after checking has found no subdivisions of the property on the southeast side but did find subdivisions of the northwest side. Jay Brousseau asked if the northwest side and southeast side have separate deed titles. Dan Russell stated yes.

Mr. Mattikow was advised to file two separate applications, Ag data forms, SEQRA for each, as well as NYS DOT curb cuts for three new driveway cuts, three new septic and three new well sites. Mr. Mattikow asked if the perk test could be waived due to the amount of the 22-acre parcel. Rob Fitzsimmons informed Mr. Mattikow that it is the Boards discretion to waive perk testing. Jay Brousseau stated that he would like to see perk tests especially on the 22-acre parcel because of the wet conditions. Mr. Mattikow informed the Board that a letter from Beaver Creek LLC and a memorandum of condition of sale were supplied. Mr. Mattikow stated that the memorandum of sale was on file with the County Clerk's office. Rob Fitzsimmons asked Mr. Mattikow if the sale is contingent on TOC Planning Board approval. Mr. Mattikow had no comment.

Informal:

Weigelt, Kippy & BJ seeking advise on subdividing their mother's property located on Swiss Farm Rd. The Weigelt family presented their plan for subdivision for inheritance purposes. Property is not located on a TOC approved roadway therefore does not meet the roadway frontage requirements. Planning Board members reviewed the proposed subdivision and referred the applicant to the Town of Claverack Zoning Board of Appeals for an Area Variance.

Motion to adjourn the meeting was made by Caren Mahar with a second from Judy Zink. All members were in favor. Motion carried. Meeting adjourned at 8:20 P.M.

Respectfully submitted,  
Jodi Keyser  
Secretary