

Town of Claverack
Zoning Board of Appeals
P.O. Box V
Mellenville, NY 12544
Meeting: October 24, 2012
7:30 p.m.

APPROVED 11/28/12

Chairman Frank Clegg called the October 24, 2012 meeting of the Town of Claverack Planning Board to order at 7:30 p.m. Chairman Clegg led the Board and members of the audience with the Pledge of Allegiance. Members in attendance were: Chairman Clegg, Steven Melnyk, Kim Keil, David Graziano, Oliver Milot, Jock Winch, Paul Gundrum, attorney Rob Fitzsimmons, engineer Paul McCreary, and secretary Jodi Keyser.

Correspondence: None

Members reviewed the Minutes of September 26, 2012 meeting. Motions for the Shannon application were missing and secretary Jodi Keyser will correct the minutes to reflect the motions and conditions for the Dale Shannon application.

Continuing Applications for 10/24/12:

Filli, Damon & Theodore dba Filli's Pizzeria: Tax Map #(SBL) 121 . 03 – 3 – 19 Located at 6 Park St. Site Plan Review for expansion of retail space for pizzeria restaurant.

Damon Filli and Ted Filli Sr. were present for the application. Chairman Clegg asked the Filli's if they had submitted a narrative to the Building Department explaining the lighting, signage, parking, number of employees, etc. Jock Winch asked if the weekly number of employees has increased. Damon Filli answered yes by 2 people. Jock Winch stated that looking inside of a business is not usually part of a Site Plan before the TOC ZBA and only two new employees does not increase the handicapped parking. Chairman Clegg stated that he observed two couches for people to sit on. Damon Filli answered yes they are for people to wait for their orders. Jock Winch stated that Price Chopper and WalMart both sell pizza as an accessory use and people can sit and eat. Chairman Clegg stated that the 50% rule is used for permitting. Damon Filli stated that 95% of the use is grocery and only about 5% is for the pizza sales. Damon Filli stated that the grocery market falls under the jurisdiction of Ag & Markets. Rob Fitzsimmons stated that the issue is a change of use within the current use. Jock Winch stated that the applicant did not put an addition on to the building for the added use. Rob Fitzsimmons stated that the Site Plan map shows an addition to the grocery store. Damon Filli answered yes he added on to the grocery store by taking the storage from the liquor store. Damon Filli informed the Board that the hours of operation are Tuesdays thru Saturdays 7:00 a.m. to 9:00 p.m. and Sundays and Mondays 7:00 a.m. to 8:00 p.m. but pizza sales start at 4:00 p.m. each day. Chairman Clegg opened the meeting to public hearing at 7:43 p.m. No comments Chairman Clegg closed the public as hearing at 7:44 p.m. Motion for negative declaration with regard to SEQRA was made by Jock Winch with a second from David Graziano. All members were in favor. Motion carried.

Motion to approve Site Plan as submitted and applicant will need to abide by any additional handicapped parking as determined by the Town of Claverack Building Department was made by Jock Winch with a second from Kim Keil. All members were in favor. Motion carried.

New Applications for 10/24/12:

Vulpis, Nicholas & Patricia: Tax Map #(SBL) 133 . – 2 – 7 Located at 880 Carlson Rd. Craryville. Site Plan Review to replace an existing 1440 square foot mobile home with a new 1120 mobile home in the same location. Mr. Vulpis was present for the application. Mr. Vulpis explained to the Board that he is seeking a Site Plan Review to replace his 1970 mobile home with a new double wide mobile home. Mr. Vulpis continued that his

current mobile home is in disrepair and a new home is the best way to go. Mr. Vulpis stated that he has purchased a new double wide from Future Homes in Cairo New York and they will be doing all of the construction including removal of the current old trailer. Mr. Vulpis informed the Board that the new home will be on a smaller footprint from the current trailer. Chairman Clegg asked about the setbacks. Mr. Vulpis answered that the setback areas will increase because the new mobile home will take up a smaller space. Chairman Clegg stated that it is an improvement all together. Jock Winch referred to a new law passed by the Town of Claverack to allow for the replacement of older mobile homes is a good idea. Set for public hearing at the November 28, 2012 meeting. Mr. Vulpis was directed to pick up a sign for noticing the public hearing from the Town Office building at least two weeks prior to the public hearing.

Chairman Clegg informed members that the November meeting falls the week after the Thanksgiving holiday but the December meeting falls the day after Christmas and might need to be canceled.

Town Councilwoman Katie Cashen informed the Board members of a possible training session with Don Meltz regarding the new SEQRA forms. Katie will notify the Board members of the date and time. Katie then informed the Board that the Zoning Revision is moving forward but a few issues have cropped up lately that are requiring more work but should be resolved in the next few months. Katie informed the Board members that residents of Maple Ave. are challenging the Zoning revisions re-zoning from Residential to Hamlet/Business. Katie also stated that the two wellhead protection areas, Preusser Rd. and at Rte. 66 & 9-H are an issue also. Steven Melnyk stated that the Town of Claverack should really consider setting up an exploratory group to seek out grants to develop these two wellheads for the Town because the water issue will be a big topic for everyone in the near future. Jock Winch added that the Town should also look into sewage treatment because he heard that a town in Greene County had its entire sewage treatment project paid for with grants.

Motion to adjourn the meeting was made by Steven Melnyk with a second from Kim Keil. All members were in favor. Motion carried. Meeting adjourned at 7:55 p.m.

Respectfully submitted,
Jodi Keyser, Secretary