

Approved 3/4/19

**TOWN OF CLAVERACK  
PLANNING BOARD  
Minutes of January 7, 2019**

Chairman Scott Cole called the January 7, 2019 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were: Chairman Scott Cole, Robert Vecchi, William Michael, Stephen King, Jock Winch, new member Alberta Cox, George Schmitt; engineer, Rob Fitzsimmons; attorney, and Jodi Keyser; secretary

Absent with regrets: Virginia Ambrose

Chairman Scott Cole introduced new Planning Board member Alberta Cox who will fill Dr. Gretchen Stearns' expired position.

Chairman Cole then thanked Dr. Stearns for her many years of dedication and service to the Town of Claverack Planning Board and to the residents.

Board members reviewed the minutes of the December 3, 2018 meeting.

Motion to approve the December 3, 2019 meeting was made by Stephen King with a second from Robert Vecchi. All members were in favor. Motion carried.

**CONTINUING APPLICATIONS FOR 1/7/19:**

**T-Mobile Northeast LLC Special Exception Review: Tax Map #(SBL) 143 – 1 – 42 Located at Forest Lake/Village of Philmont 95 Palmer Rd. NYS Rte. 23 between Palmer Rd & Cty. Rte. 11. Special Exception Permit Review for modification of an existing base tower with the collocation of a new antenna with ancillary equipment.**

David Kenny of Snyder & Snyder LLP was present for the application. Mr. Kenny reviewed the application for the Board members. Mr. Kenny informed the Board that his client, T-Mobile is seeking a collocation on an existing telecommunications tower located at 95 Palmer Rd. Mr. Kenny continued that the existing tower is 180 feet high and this application is seeking to install a collocated antenna at 166 feet high. Mr. Kenny continued that the application meets the eligibility requirements for a 60-day review and the application was filed on 11/13/19. Mr. Kenny continued that the Town of Claverack Planning Board approved the existing tower in 2010 and that it could accommodate additional carriers. Mr. Kenny submitted photos of the meeting notice sign at the site for the file. Mr. Kenny submitted information regarding the generator and containment as requested from the December meeting. Mr. Kenny continued that the generator is run on diesel and the tank will have a double wall concrete containment for spill safety. Mr. Kenny stated that the generator is a requirement because the telecommunication tower has to have a backup electrical source because the tower needs to remain operational due to emergencies. George Schmitt stated that he has reviewed the application and finds it adequate. Chairman Scott Cole opened the meeting to public hearing at 7:08 p.m.

Mr. Phillip Gellert informed the Board that his property borders the cell tower property about 10 – 15 feet away. Mr. Gellert stated that if the tower were to fall it would fall directly onto his property and he feels that the tower lowers the value of his property and he feels that the owner of the tower should compensate him for these issues. Rob Fitzsimmons informed Mr. Gellert that the tower is a pre-existing unit and he remembers that when the tower was approved in 2010 he represented the Village of Philmont and did not recall any objections. Rob Fitzsimmons continued that this is not an application for a new tower only to collocate new antenna onto the existing telecommunications tower. Mr. Gellert stated that he feels that this tower has a negative effect on his property and he should be compensated. Rob Fitzsimmons informed Mr. Gellert that the counsel representing the tower owner will relay his concerns and information to the owner. Rob Fitzsimmons informed Mr. Gellert that the Town of Claverack requires all telecommunication towers to provide proof of insurance to cover a failure and if the issue is more of property value issue he can take the issue to the Town of Claverack's assessor's office. No further comments. Chairman Cole closed the public hearing at 7:10 p.m. George Schmitt reviewed the SEQRA for the Board. George Schmitt reminded Mr. Kenny that the tax map # and acreage were corrected on the SEQRA.

**Motion to grant a negative declaration for purposes of SEQRA was made by Robert Vecchi with a second from Jock Winch. All members were in favor. Motion carried.**

**Motion to approve the Special Exception application to collocate a T-Mobile antenna on an existing telecommunication tower at 95 Palmer Rd. was made by William Michael with a second from Jock Winch. All members were in favor. Motion carried.**

**Chairman Scott Cole will stamp and sign the site plan maps at a later date.**

**Claverack Properties LLC/ Claverack Builders Site Plan Review: Tax Map #(SBL)101 . – 2 – 38 Locate at 41 Bender Blvd. Ghent, NY Site Plan Review for the addition of a 25` X 28` storage building for the storage of lumber.**

**Jock Winch was present for the application. Mr. Winch informed the Board that he is applying for a small addition onto his existing building at 41 Bender Blvd. to use for the storage of lumber and building supplies. Mr. Winch continued that the addition will not have heat or plumbing and will not change the number of employees, signage or use of the building. Robert Vecchi asked that Mr. Winch review the application for new member Ms. Cox. Mr. Winch stated that he purchased the building a couple of years ago which is located in the Columbia County Commerce Park from Mr. Weiss to house his contracting business. Chairman Cole opened the meeting to the public hearing at 7:20 p.m. No comments were heard. Rob Fitzsimmons informed the Board that he was checking to see if the property had been reviewed for a Site Plan and if the use conforms to the Town of Claverack Zoning Law table of use. Mr. Winch stated that he spoke with then CEO Dennis Callahan to see if he needed a Site Plan Review and he was told that since there wasn't any change to the building he would not need a Site Plan which is very costly.**

**Motion to grant a negative declaration for purposes of SEQRA was made by Stephen King with a second from William Michael. All members were in favor. Motion carried.**

**Motion to approve the Site Plan for a 25-foot by 27-foot addition without plumbing and heat to be used for the storage of lumber and building materials was made by Robert Vecchi with a second from Stephen King. All members were in favor. Motion carried.**

**Chairman Cole will stamp and sign the Site Plan maps at a later date.**

#### **NEW APPLICATIONS FOR 1/7/19:**

**No new applications.**

#### **NEW BUSINESS:**

**Chairman Cole asked the Board and audience if they had any new business.**

**Town of Claverack resident Peter Bevacqua informed the Board that he has an issue with the December minutes regarding the cutting down of several trees along NYS Rte. 23-B. Mr. Bevacqua continued that TOC Board member MaryAnn Lee had received information that was misleading. Mr. Bevacqua continued that the information Mrs. Lee received regarding the Emerald Ash Boring Beetle was just wrong. Mr. Bevacqua continued that he is a professional landscaper and he researched and contacted other professionals regarding the Emerald Ash Beetle and found that it does not migrate from tree to tree only to other Ash trees or trees in the Ash family. Mr. Bevacqua continued that the trees that were removed were Maple trees that were in fine shape. Mr. Bevacqua felt that Mrs. Lee was misinformed and that the Town of Claverack should continue to investigate the devastation of healthy trees in the hamlet.**

**Robert Vecchi came upon a group of guys grinding down the tree stumps and they told him that the County had the trees taken down. Rob Fitzsimmons stated that the County and New York State do have some shared roadways that are under contract for plowing and they might use the same companies for tree removal also. TOC Board member Stephen Hook informed the Board that Member Lee is out of town but he knows that she is still investigating the tree removals and has called Mr. Mannis the property owner to find out if he was notified.**

**Motion to adjourn the meeting was made by Robert Vecchi with a second from Stephen King. All members were in favor. Motion was approved.**

**Meeting was adjourned at 7:35p.m.**

**Respectfully submitted,**

**Jodi Keyser, Secretary**