

Chairman Scott Cole called the September 11, 2017 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were: Chairman Scott Cole, Virginia Ambrose, Stephen King, Gretchen Stearns, William Michael, Jock Winch, Robert Vecchi, engineer; George Schmitt, attorney; Rob Fitzsimmons and secretary; Jodi Keyser

Board members reviewed the Minutes of the August 7, 2017 meeting.

Motion to approve the August 7, 2017 minutes was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried.

#### CONTINUING APPLICATIONS FOR 9/11/17:

**ABS Satellite Special Exception:** Tax Map #(SBL) 101 . – 2 – 11 . 200 Located at 829 Rte. 66. Special Exception for the installation of two 9 meter satellite telecommunication transmitting/receiving antennas at the rear of the building.

Tom Yang was present for the application. Mr. Yang introduced himself as the property manager for the ABS Satellite and Hudson Valley Classic Motors. Mr. Yang informed the Board that the building also houses the Habitat for Humanity ReStore. Mr. Yang continued that the owner of the building is seeking Special Exception approval to install two 9 meter 27 feet in diameter satellite dishes or teleport at the rear of the building. Mr. Yang continued that the satellites will be in a southwesterly facing direction to be able to send and receive data. Mr. Yang informed the Board and audience that the owner of ABS Satellite has satellites all over the world and owns several teleports to transport data in large amounts at great speed. Mr. Yang stated that the satellites will transmit voice and digital data between the satellites and the dishes. Mr. Yang stated that the business is seeking the Special Exception approval to be able to hire a third party engineer to complete the permitting application for FCC approval. Mr. Yang informed the Board that the FCC approval will regulate the limit of transporting they will allow. Mr. Yang stated that after they receive the FCC approval they will apply to the Town of Claverack for a building permit. Mr. Yang also informed the Board that the teleport will be bringing a large amount of data into the county.

Chairman Scott Cole opened the meeting to a public hearing at 7:05 p.m.

Ms. Sussman asked if the satellite dishes will have screening. Mr. Yang answered yes and the landscaping will be designed during the Site Plan application and after they know the exact placement of the satellite dishes. Mr. Yang continued that a landscaping design is premature at this point because they cannot place trees directly in front of the dishes because it will impede on the transmissions. Ms. Sussman asked how the satellite dishes will be secured from vandalism. Mr. Yang answered that the dishes will be secured within a fenced area but the actual size and dimensions of the fencing will be part of the Site Plan.

Chairman Scott Cole closed the public hearing at 7:10 p.m. Gretchen Stearns informed Mr. Yang that the Special Exception approval can have conditions such as a landscaping plan and FCC approval. Mr. Yang informed the Board that the FCC approval could take several months so he doesn't want to give the impression that the Site Plan will be designed in a month or two and a third party engineer needs to be hired. Stephen King stated that a provisional approval could be made. George Schmitt reviewed the SEQRA for the Board.

Motion to grant a negative declaration for purposes of SEQRA was made by Gretchen Stearns with a second from Virginia Ambrose. All members were in favor. Motion carried.

Motion to grant the Special Exception Permit with conditions of FCC approval and landscaping plan was made by Stephen King with a second from Robert Vecchi. All members were in favor. Motion carried.

**Joe Beats LLC Special Exception and Site Plan Review:** Tax Map # 132 – 1 – 18 Located at 482 & 484 NYS Rte. 23. Special Exception and Site Plan Review to remodel current retail space back to a restaurant use along with remodeling of existing house.

Rob Fitzsimmons informed the Board that the applicant has come across some unexpected delays and will be on hold until further notice.

**Schram, Peter & Nicholas Subdivision:** Tax Map #(SBL) 131 . 00 – 01 – 11 Located at & 36 Van Wyck Lane. Boundary Line Adjustment adding 2 acres from 36 Van Wyck Lane to 24 Van Wyck Lane.

Peter and Nicholas Schram were present for the application. Peter Schram informed the Board that he owned the former Shaw house on Van Wyck Lane. Mr. Schram continued that he recently sold the house but prior to the sale he and the buyer agreed to subdivide 2 acres from the 5 acre parcel and add it to his son Nicholas' property to give him more privacy. Rob Fitzsimmons informed the Board that at the time Mr. Schram was before the Planning Board it was discovered that the parcels are within the High Density Zoning area and the minimum lot size is 5 acres. Rob Fitzsimmons informed the Board that the ZBA felt that the subdivision to create the non-conforming parcel would not change or have a negative impact on the character of the neighborhood. Rob Fitzsimmons continued that Mr. Schram has received an Area Variance from the Town of Claverack Zoning Board of Appeals so he can proceed with the Boundary Line Adjustment. Mr. Schram informed the Board that the subdivision was agreed to by the new owners and is written in the new deeds. Rob Fitzsimmons informed Mr. Schram and the Board that a public hearing is required for the application. Motion to set public hearing for October 2, 2017 was made by Gretchen Stearns with a second from Virginia Ambrose. All members were in favor. Motion carried. Mr. Schram was instructed to obtain a public hearing sign for the Planning Board from the Town Clerk.

**Ezinga, Benjamin Subdivision:** Tax Map #(SBL) 110 . – 1 – 31 . 21 and 110 . – 1 – 31 . 32. Located at 441 NYS Rte. 66. Subdivision of 61 +/- acres into two parcels.

Mr. Ezinga and Jeff Plass were present for the application. Mr. Plass informed the Board that his client is seeking a two lot minor subdivision consisting of 10 acres and 55 acres. Mr. Ezinga submitted a driveway maintenance agreement. Gretchen Stearns asked the status of the wetlands and flood zone. Mr. Plass answered that the flood zone and wetlands were delineated and they will not be disturbed. Chairman Cole opened the meeting to public hearing at 7:42 p.m.

Ms. Sussman asked if the property will have future subdivisions and will houses be built on the property. Mr. Plass informed the Board that the 10 acre parcel contains a current and there is a future plan for a one family residence on the 55 acre parcel. No further comments. Chairman Cole closed the public comment at 7:43 p.m. George Schmitt reviewed the SEQRA for the Board members.

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

Motion to approve the minor 2-lot subdivision was made by Stephen King with a second from William Michael. All members were in favor. Motion carried.

Maps were stamped and signed and Mr. Ezinga paid final fees of \$325.00.

**Fieldmakers Site Plan Review & Special Exception:** Tax Map #(SBL) 130 . – 1 – 6 . 112 Located at 195 Stone Mill Rd. Site Plan Review for the of a new agri-tourism farm project including a farm with support buildings, guest cabins, event space and a caretaker/owner dwelling.

Victoria Masters, David Sutton, architect Mr. Lentz and engineer Ryan Young were present for the application. Ms. Masters reviewed the project for the Board and audience. Ms. Masters stated that the plan is for an agro-tourism educational small scale farm where farmers will teach guests skills for homesteading. Ms. Masters continued that the farm will be located on the 50 acre parcel which will have areas for chickens, goats, beekeeping, vegetable gardening and several small cabins for guests to rent. Ms. Masters stated that the vision is to have guests rent the cabins for short term stays to participate in the educational farming operation and learn about canning, things to do with herbs, cooking with the vegetables and taking care of the animals. Ms. Masters continued that there will be 12 cabins spread out throughout the wooded area and 8 small mini cabins. Ms. Masters stated that there will be 17 acres set aside for gardens and animals. Ms. Masters stated that the cabins will have two bedrooms with bathrooms and will be connected into a large septic system. Ms. Masters stated that there will be a large main house with its own septic system. George Schmitt submitted a review letter and informed the Board that he would suggest the applicant's engineer work directly with him to clean up the numerous details that need to be addressed i.e. stormwater pond, owners residence, grading, etc. George

Schmitt informed the Board that the applicant has just received his review comment letter so to be fair they will need time to read the points. Gretchen Stearns stated that because of the numerous comments from George Schmitt and no clear plans for the education center she is hesitant to clear up the project tonight. Gretchen Stearns stated that the maps show several areas of wetlands and it will not be an easy site for septic systems or stormwater therefore the Planning Board should take their time with the review to make sure the project is done right. Gretchen Stearns continued that she understood the public hearing would be held at the meeting but would suggest the public hearing remain open until all of the comments from George Schmitt are addressed. Chairman Scott Cole opened the public hearing at 7:40 p.m.

Diane Konderwicz of Stone Mill Rd. stated that she has a concern with the additional traffic the project will bring onto the road. Mrs. Konderwicz stated that the guests and patrons to the farmstand will bring extra traffic on an already busy roadway making it unsafe.

Ryan Young informed the Board that he put together a modified traffic study using NYS Rte. 23 and NYS Rte. 9-H which showed about a 2% increase of traffic which would be a minimal impact.

Andy Taggard of Stone Mill Rd. informed the Board that he is a 39 + resident of the road and he stated that the road cannot afford any increase in traffic. Mr. Taggard continued that the speed limit is 40 mph but he has witnessed people traveling much faster. Mr. Taggard stated that a 2% increase is a guess and the neighborhood cannot afford a guess. Mr. Taggard stated that the property is full of wetlands and it will be a problem also. Mr. Lentz the architect for the project informed the Board and audience that the wetlands will not be disturbed and will remain intact.

Brian Gaylord of Stone Mill Rd. informed the Board that the traffic on Stone Mill has increased since the closure of Webb Rd. and it is a dangerous situation with the condition of the road. Mr. Gaylord continued that people use the road to access Brookwood Secure Facility and the speeds have increased also. Mr. Gaylord stated that he has walked the property in the past and it is very wet in areas. Mr. Gaylord continued that the plan appears to be more commercial than agricultural like a campground.

Mr. Lentz answered that the proposed use is that of an agro-tourism use which is allowed and encouraged in this area.

Mr. Stefano informed the Board that he has concerns with the lighting and noise.

Mr. Lentz stated that the cabins will be in the woods and will not be visible at night because of the low density lighting.

Mr. Stefano stated that the lights and noise from the Brookwood facility are bad enough now and this project will sandwich him between the two. Mr. Stefano stated that this will be worse in the winter and spring when the leaves are off of the trees. Mr. Stefano asked what types of farming will be done in the winter.

Ms. Masters answered that the winter will have mostly farm to table type of events.

Gretchen Stearns informed the applicants that weddings are not allowed at all.

Brian Gaylord asked if this could change and at some point weddings and other large events could happen here.

Rob Fitzsimmons informed the audience that the Planning Board has made it clear with the applicant that weddings and large events are not part of the approval and if this changes they would need to return to the Planning Board for another review process.

Brian Gaylord then stated that the plan will be completed in a step process over a couple of years but if it isn't successful will it be completed or just bits and pieces and if it is ever sold will the new owners be allowed to have large events like weddings.

Rob Fitzsimmons stated that if the property is sold the new owners are purchasing the current use with the same conditions. Gretchen Stearns stated that she is skeptical of the financial success and hopes that the plan is successful but new owners cannot change.

Ms. Sussman asked what types of activities will take place during cold weather times.

Ms. Masters answered greenhouses, garden prepping and canning education. Ms. Masters informed the Board that the cabins will be fully heated for winter stays.

Peter Bevacqua of NYS Rte. 23-B stated that he understands the increase in traffic because he has seen traffic increased in front of his house and as far as speeding that is an enforcement issue. Mr. Bevacqua continued that the plan is a good idea and is the type of idea that is important to Claverack to get in on the tourism burst that is taking place in Hudson. Mr. Bevacqua hoped that the applicants and the neighbors could come to an agreement. Mr. Bevacqua asked how many people would be utilizing the facility at a time.

Mr. Lentz stated that approximately 40 to 50 people.

Brian Gaylord stated that with the workers this would be a large impact on the roadway and the neighbors.

Andy Taggard stated that the old bridge has had the weight limit lowered due to its condition and more traffic will only add to the deterioration. Mr. Taggard continued that the CCDOH might be very tight with the septic design especially considering the amount of wetlands on the site.

Mr. Lentz informed the Board that they are awaiting the CCDOH approval.

Roge Commard of Rte, 9-H stated that he is in favor because the project has many positive impacts and the operation is only a daytime operation. Mr. Commard continued that the plan will engage the guests in farming and not just a party spot. Mr. Commard stated that the plan will bring farming back and will make more people want to start farming. Mr. Commard stated that the traffic enforcement is for the police to enforce.

Andy Taggard stated that the roadway is unsafe because of the traffic now and any increase will make it even more unsafe. Mr. Taggard stated that the roadway is unsafe to walk on and the older residents of the mobile home park are afraid to even pull out of the park because the cars go so fast and there are so many of them.

Tom Bartels of Van Deusen Rd. stated that he appreciates the comments and likes the idea of a farming site even if it is in the spirit of a farm but he is concerned with the increase in traffic. Mr. Bartels stated that it is dangerous to walk and it has become a cut off road to the Brookwood facility. Mr. Bartels stated that he is concerned with the number of guests and workers and would like to hear about Ms. Master's background.

Ms. Masters informed the Board that she was raised on a small 12 acre farm in New Jersey where her parents were homesteaders and made baskets of their farm products for the community. Ms. Masters stated that when she was young she didn't like the homesteading life so she moved to NYC and now she understands it better. Ms. Masters continued that after a few years in NYC she felt that she wanted to go back to the way she was raised and decided to find an area where she could teach people how to homestead.

Audience member asked if Ms. Masters will live on the property.

Ms. Masters stated yes.

Audience member asked if this type of plan has been done before.

Ms. Masters stated that agro-tourism projects like this are located all over the United States in different forms.

Mr. Tavano asked if the plan will have lighting along the roadways to the cabins.

Ms. Masters stated that the cabins will have low density lighting on them.

Chairman Cole stated that the plan is lacking a lighting design.

John Staib of Stone Mill Rd. stated that he is concerned with 20 cabins using a well, concerns with the smell from the animals and fresh water.

Peter Bevacqua stated that lighting and noise are huge concerns and urged the applicant to develop a low impact lighting design. Mr. Bevacqua stated that young people are leaving the area and this plan might just make them excited and eager to stay and farm.

Audience member stated that if this is such a progressive plan with low environmental impacts then why no solar power use.

Mr. Lentz stated that the farm center is an open pole barn which could be a good site for solar. Also the farm is completely organic.

Roge Commard stated that if the neighbors are concerned with the number of guests then maybe the plan could be scaled down with less cabins or set a maximum capacity.

Mr. Lentz informed the Board that the small studio cabins will house 2 people and the larger mini cabins are a hardsided tent type of structure.

Roge Commard stated that the guests will not all be driving because he feels that most will come up from NYC on the train and use an UBER to get to the farm.

Mr. Lentz stated that the idea is to encourage guests from NYC.

Brian Gaylord stated that no matter how the guests arrive in the area they still need to take a vehicle or some form of transportation to the site which will increase the traffic.

Shannon Daley asked what the waste management plan will be, how will the heavy farm equipment travel the roadway.

Ms. Masters stated that they will use a commercial garbage company and the tractors will not need to utilize the road.

Audience member asked the breakeven number to make the project viable.

Ms. Masters stated that the plan is to start with a couple of cabins and the farmstand then grow at the same time installing more cabins as more of the plan progresses.

Tom Holmes of Spook Rock Rd. stated that he isn't a fan of the agro-tourism word because the plan seems more like a campground than a farm. Mr. Holmes stated that he has no problem with another farm so close to his but feels it is more of a commercial operation as a glorified campground rather than a real farm.

Mr. Holmes asked how long since the area was farmed.

Ms. Masters answered about 15.

Mr. Holmes stated more like 40 years ago because his family was the last to farm the property.

Mr. Lentz stated that the entire plan has been mapped out with phases and the entire area was reviewed.

Mr. Bevacqua asked why not start small to allow the neighbors the ability to see the impacts.

Mr. Lentz stated that the plan is to allow the project to grow naturally.

Andy Taggard asked if the roadways have been designed wide enough and with adequate base to allow for emergency vehicles to access the cabins if needed.

Ms. Masters answered yes they roadways will be farm roads with a gravel base but not built to TOC Specs because they are private driveways but they will be able to accommodate emergency vehicles.

Diane Konderwich asked what types of animals and how many will be housed on the property.

Ms. Masters stated that several chickens and about 15 goats will be the animals. Ms. Masters continued that the animals will be contained within movable fencing so that they can move the pasture areas to different parts of the property.

Roge Commard asked if people need to apply to the Planning Board to farm property.

Gretchen Stearns stated that if the farm is a new farm then the owners need to apply to the TOC Planning Board for approval.

Gretchen Stearns suggested to the applicant that she talk to Tom Holmes because he has farmed the property in the past and it might be worthwhile.

Tom Holmes stated that the plan shows the septic system being installed in an area of the property that is consistently wet.

Ryan Young stated that they performed a ground water test and dug 5 feet down with no problems and the plan calls for the septic to be a shallow trench system.

Tom Holmes stated that the environmental impact of the project seems too much for the property to be able to handle.

Rob Fitzsimmons informed the Board that the applicant is in the process of hooking into the Claverack Water District but because TOC buys the water from the Town of Greenport they have to agree also.

? Will the main house have its own well.

Rob Fitzsimmons stated that this is one of the issues that needs to be cleared up.

? Informed the applicant that the deer ticks are very bad in the area.

? How much property is required for a farm.

Gretchen Stearns answered that the NYS Ag. & Markets considers a farm of as little as 5 acres.

Ms. Dailey asked where the parking is going to be,

Mr. Lentz stated that guests will park at each cabin and there will be parking by the educational center and next to the main house.

Tom Holmes stated that when he needed to build a new greenhouse and barn he had to jump through hoops and it cost him lots of money. Mr. Holmes continued that it doesn't seem fair that the project will gain most of their money from the rental of cabins and would expect to be granted an agricultural exemption and he has to get his money from the crops and plants he grows. Mr. Holmes stated that it doesn't look like a farm to him but it is a campground.

Gretchen Stearns informed Mr. Holmes that this is considered agro-tourism.

Chairman Cole stated that the public hearing will remain open and the neighbors can write letters or attend the October 2<sup>nd</sup> meeting.

Rob Fitzsimmons informed the applicant that the neighbors have raised concerns with traffic, lighting, noise, stormwater, septic, etc. which they should address prior to the October meeting.

Members of the audience asked if a set of the plans could be left at the Town office building for review.

Continued to October 2, 2017.

**Victoria Rosenwald & Daniel Esterman Site Plan/Special Exception:** Tax Map # 121 . - 1 - 68 Located at 109 Stone Mill Rd. Site Plan/Special Exception for the construction of a 12-foot by 25-foot two bedroom/1 bathroom guest cabin behind the main house.

John Jennings, contractor for the plan was present for the applicants who were away. Mr. Jennings informed the Board that his clients are seeking to construct a small two bedroom one bathroom seasonal cabin on their property. Mr. Jennings continued that the cabin will not have heat and will be used for the applicant's grandchildren when they visit in the summer. Mr. Jennings informed the Board that his clients house is situated in a way which makes it impossible to build an addition onto the main house.

Chairman Cole opened the meeting to public hearing at 8:30 p.m.

Ms. Sussman stated that as a grandparent herself she feels that this is a great idea. No further comments.

Chairman Cole closed the public comments at 8:31 p.m.

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

Motion to approve the Site Plan and Special Exception for the construction of a 12' X 25' seasonal cabin with no heating or kitchen was made by Virginia Ambrose with a second from Gretchen Stearns. All members were in favor. Motion carried. Final fees for mailing were paid in the amount of \$3.36.

## **NEW APPLICATIONS FOR 9/11/17:**

**ACW, Inc. Site Plan & Special Exception Permit Review:** Tax Map #(SBL) 101 . 00 – 02 – 49. Located in the Columbia County Commerce Park Lot #3. Site Plan and Special Exception Permit Review for the construction of a 9,600 square foot building for the purposes of a millwork manufacturing facility with office space.

MacKenzie Calhoun, Josh Wainschaf and Andy Didio were present for the application. Mr. Didio informed the Board that they are submitting new application materials with the correct name of ACW Millwork and Cabinetry. Mr. Didio informed the Board that the owners of the company are using their initials for this company. Mr. Didio continued that the company is currently running out of a building in Chatham which they will keep for a finishing operation. Mr. Didio continued that the plan calls for a 9,600 square foot building to house the millworking and cabinet making division of the company. Mr. Didio informed the Board that the building will be located on Salerno Drive in the Commerce Park on a 1.2 acre parcel. Stephen King asked how many employees. Mr. Didio answered there will be 6 full time employees which answers the number of parking spaces. Mr. Didio continued that the parking spaces are also configured to allow for tractor trailers to maneuver for deliveries and pickups. Mr. Didio informed the Board that the business will run during normal business hours of 7:00 am to 6:00 pm. Mr. Didio reviewed the loading dock which will be sunken in 2 feet off of the County Rte. 20 side of the metal building. Mr. Didio continued that the building will also have a system for dust collection and sunken dumpsters with a fencing for screening. Stephen King asked what color the building will be. Mr. Wainschaf stated that the building will probably be a gray but it is not yet decided. Mr. Didio reviewed the Site Plan for the Board showing the drainage, lighting, and landscape with signage. Mr. Didio informed the Board that the lighting will consist of dark sky compliant downward facing fixtures. Mr. Didio stated that the project is under the SWPP threshold for disturbance and they will coordinate with the Columbia County Highway for curb cuts. Gretchen Stearns asked if the building will have retail sales. Mr. Calhoun answered no it is just a commercial millwork business to build cabinets for residential and commercial customers. Stephen King asked if there were going to be any chemicals in the building. Mr. Didio answered that the finishing end for the cabinets will be housed in the Chatham building so no hazardous chemicals. Robert Vecchi asked if they plan to have a stockpile of scrap wood like a close woodworking business has. Mr. Calhoun answered no. Gretchen Stearns informed the applicants that they should design their landscape plan with a mixture of trees and shrubbery in a more natural type of design not just some trees in rows. Rob Fitzsimmons informed the Board that the Commerce Park businesses have a generic environmental impact but the TOC Planning Board still needs to do a SEQRA determination on each one. Mr. Didio asked if the County is going to redesign the water supply and septic for the Commerce Park. George Schmitt stated that the County is in the design process for this but nothing is concrete.

Motion to accept the application and set public hearing for October 2, 2017 was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried. Mr. Didio was instructed to obtain a public hearing sign from the Town Clerk. Mr. Didio informed the Board that he will revise the landscape design as per their comments.

## **OTHER BUSINESS:**

Stephen King asked about a letter from NYS DOT regarding the Coyote Flaco. Rob Fitzsimmons informed the Board that they were provided with a survey from a licensed surveyor and that is what the Planning Board made their determination on. George Schmitt informed the Board members that Park Lane does not abut Rte. 9-H but the NYS DOT is asking for curbing but the TOC will not pay for curbing. George Schmitt continued that he has asked for a copy of the mapping from NYS DOT. Rob Fitzsimmons stated that the TOC Board will make a determination on Park Lane either making it a one way or something else but the taxpayers will not be paying for curbing or anything for the project.

Ms. Sussman asked if the Planning Board has had any current updates from the Amedore Homes representatives. Rob Fitzsimmons informed the Board and Ms. Sussman that the TOC has not heard from Amedore Homes and the TOC is in the beginning stage of initiating a Planned Development law which will require the Planning and Zoning Board of Appeals for input.

Ms. Sussman informed the Board that she was happy to see such wonderful visions for the future of the Town of Claverack but felt that the Board should have remembered the victims and first responders of 9/11/01 with a moment of silence.

Chairman Scott Cole and the members of the Planning Board agreed.

Chairman Cole asked the Planning Board and members of the Audience in joining in a moment of silence to respect the victims and first responders of the 9/11/01 terrorist attack in New York City.

**Motion to adjourn the meeting was made by Robert Vecchi with a second from Jock Winch. All members were in favor. Motion carried. Meeting adjourned at 9:00 p.m.**

**Respectfully submitted,**

Jodi Keyser, Secretary