

APPROVED 7/6/16

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes: June 6, 2016**

Chairman Brian Goodrich called the June 6, 2016 meeting of the Town of Claverack Planning Board to order at 7:00 P.M.

Members in attendance were: Chairman Brian Goodrich, Scott Cole, Joseph Singleton, Stephen King, engineer; George Schmitt, attorney; Rob Fitzsimmons and secretary; Jodi Keyser

Absent: Virginia Ambrose, Gretchen Stearns and Judy Zink

Correspondence: None

Members discussed the possibility of changing the July meeting because the meeting date falls on the July 4th holiday. Members agreed to change the date of the July meeting to Wednesday, July 6th at 7:00 p.m.

Board members reviewed the minutes of the May 2, 2016 meeting.

Motion to approve the May 2, 2016 minutes was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 6/6/16:

Columbia Greene Humane Society Special Exception Revision: Tax Map #(SBL) 100 . – 1 – 03 Located at 111 Humane Society Rd. Special Exception Revision of a previously approved Special Exception for the addition of a new building for a veterinary clinic and animal shelter.

Ron Perez and Paul Freeman were present for the application. Mr. Freeman submitted updated Site Plan maps and informed the Board that they have modified the plan to address the public concern regarding the noise. Mr. Freeman stated that the original plan had outside runs for the dogs and the revised Site Plan has eliminated the outside runs and everything is now enclosed within the new addition. Mr. Freeman also informed the Board that all of the windows have been eliminated to mitigate noise. Mr. Freeman continued that the dogs that will be housed in this addition will be geriatric dogs and post-surgical dogs both of them make minimal noise. Mr. Freeman continued that the Site Plan shows the use of the existing storm-water retention pond. Mr. Freeman informed the Board that the addition will remain at 2,400 square feet and will look like the existing building. Scott Cole asked if the applicant had performed a sound test. Mr. Freeman answered that removing the outside runs would eliminate the noise issue so there is not a need for sound testing. George Schmitt informed the applicant that he would like a letter from the engineer regarding the additional storm-water runoff into the existing pond. George Schmitt continued that the noise and sound issues received a lot of comments during the public hearing and he suggested that the Planning Board should address the current sound levels or at least know the level. Paul Freeman answered that the existing building has an approved Site Plan for which sound testing was performed. Stephen King stated that the noise mitigation and the fact that older dogs make less noise shows that the applicant has done his due diligence. Joseph Singleton stated that he uses the facility at least 6 times a year and it is not particularly noisy when he was there. Rob Fitzsimmons stated that the revised Site Plan has mitigated the noise issue. Ron Perez stated that he has met with the neighbors during the original Site Plan in 2012 and has enclosed the outside runs with sound proofing materials, sound barriers and insulation. Joseph Singleton asked if the dogs in the new area would be able to use the outside play area. Ron Perez answered yes but the outside play time ends at approximately 3:30 p.m. Chairman Goodrich explained that the public comment is still open.

Elaine Sadofsky of Humane Society Rd. stated that she appreciated the efforts but stated that she has copies of the original site plan which do not have outside dog runs. Ms. Sadofsky continued that she is unable to open her windows due to the continued noise of barking dogs. Ms. Sadofsky continued that the plan was for a shelter and now it is a vet clinic and boarding facility which are commercial ventures. Ms. Sadofsky stated that the traffic has increased because of the shelter and this has had a substantial impact on the road. Ms. Sadofsky continued that the shelter has impacted the value of her property. Ms. Sadofsky continued that the noise is not an issue at night but during the day is a problem. Ms. Sadofsky stated that she cannot use her porch without hearing dogs barking. Linda Stoddard, manager of the Dutch Village Mobile Home Park stated that the noise is a problem for her tenants even with the leaves on the trees they can hear the dogs barking. Ms. Stoddard informed the Board that the noise

level has increased. Ms. Stoddard stated that the mobile home park has plans to expand by 50 more sites but these sites would be closer to the shelter which would make them difficult to sell.

Joseph Singleton asked Ms. Stoddard if the park allows dogs. Ms. Stoddard answered yes as well as cats are allowed.

Ms. Sadofsky stated that she pays taxes on the roadway and is unable to use the roadway because of the increased traffic. Ms. Sadofsky stated that the traffic and noise are a constant issue and the shelter has not been cooperative with any of her concerns. Ms. Sadofsky stated that this is a commercial venture and not a shelter.

Paul Freeman informed the Board that the boarding and grooming have been in place since the original Site Plan as an accessory use. Mr. Freeman stated that in 2012 the shelter received a Site Plan approval for the construction of a new shelter and this was modified in 2014. Rob Fitzsimmons informed the audience that the Columbia Greene Humane Society requested an Interpretation of Use from the Town of Claverack Zoning Board of Appeals and it was determined that this use could be allowed under the Zoning Codes. Rob Fitzsimmons continued that Humane Society Rd. is considered a User Road for which the property owners own the roadway but the Town of Claverack owns the right-of-way which means that the public has the right to use the roadway even though the property owners own to the middle of the road. Joseph Singleton stated that he feels that the applicant has mitigated the noise issue by eliminating the outside kennels. Stephen King stated that he feels the same way. Scott Cole informed the Board that he has visited the area several times at different times and has found the noise level is not very loud. Ms. Sadofsky suggested that the Board members visit her porch to hear the noise.

Motion to close public hearing was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried. Public hearing closed at 7:35 p.m. George Schmitt reviewed the SEQRA for the Board. Motion to grant a negative declaration with regard to the SEQRA was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried.

Motion to approve the amended Site Plan & Special Exception as depicted on the Site Plan Maps dated 6/6/16 and applicant is required to submit a storm-water recalculation upon application for a building permit was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried. Site Plan maps were stamped and signed.

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

Tom Yung and Vince Vesper were present for the application. Technical report and plan showing tree plantings was submitted. Mr. Vesper explained the technical report for the Board. Mr. Vesper detailed the infrastructure, wind load and RF performance which is what the satellite does. Mr. Vesper stated that the signal is 6 megahertz much like a microwave and it degrades as it travels away from the satellite. Mr. Vesper continued that the beam is harmless. George Schmitt stated that the report indicates 2 different tests indicate that the frequency bands could have potentially hazardous impacts. Mr. Vesper stated that it is not an issue for a person on the ground. George Schmitt informed the applicant that he wants the math figures and the description of what a hazardous impact could be. Mr. Yung informed the Board that the diameter of the beam is very narrow so the potential for any hazard is small to no impact. George Schmitt informed the applicant that this is needed in the report. Chairman Goodrich asked what would happen to a hot air balloon if it were to hover within the beam of the satellite dish. Mr. Vesper stated that he will use this example to get the requested information. Scott Cole informed the applicant that the trees and shrubs that are depicted on the site plan will not hide the satellite dishes from Gahbauer Rd. Mr. Yung stated that the trees have been moved slightly and that this is deceiving in on the maps but he will make sure that trees are planted within the line of site. Scott Cole stated at trees need to wrap around to hide the dishes from Gahbauer Rd. Joseph Singleton asked the applicant if this is the full build out of the property. Mr. Vesper answered yes and there are no plans for more satellite dishes at this site. Joseph Singleton asked what the local gain would be for the Town of Claverack and the County. Mr. Vesper stated that they will hire an engineer for maintenance and skilled laborers for maintenance. Joseph Singleton asked if the satellites would help the County's lack of broadband access. Mr. Yung stated that the satellites send data out but do not get much back. Mr. Vesper stated that ABS is not a service provider and they would need to bring in a great deal of data to make broadband work for the county. Katy Cashen, Town Board member asked if a large provider such as Time Warner be of interest for this type of data transaction. Mr. Vesper stated that the satellite is a connection to earth station pipe and users request the data for wholesalers and this is not something that Time Warner would want. Stephen King asked if Time Warner were interested in connecting to the service could they. Mr. Vesper stated that they could connect

but it would be difficult because they have a different type of infrastructure and this would be costly to them. Katy Cashen informed the applicant that Columbia and Greene have the worst internet data in New York State. Katy Cashen continued that the County officials are trying to address this issue but she thinks it is more complicated. Chairman Brian Goodrich stated that the minutes from the April 2016 meeting referenced Joseph Singleton asking for specifics on the Site Plan for fencing around the satellite dishes. Mr. Yung stated that he does not have the fence on the Site Plan yet because he is not sure how far the fence needs to be from the dishes. Chairman Goodrich asked if escrow account and removal bond were set up. George Schmitt asked the applicant how much it would cost to remove the satellite dishes. Mr. Vesper informed the Board that the satellite dishes are very expensive and not something that would be discarded so he does not feel a removal bond is necessary. Joseph Singleton asked that the applicant supply a formal explanation of “potentially hazardous conditions” in understandable terms for the Board.

Motion to classify as an unlisted action for purposes of SEQRA, accept the application as complete, require laymen term explanation of “potentially hazardous conditions” for the Board and set public hearing for the July 6, 2016 meeting was made by Stephen King with a second from Scott Cole. All members were in favor. Motion carried.

Mr. Vesper asked if the removal bond could be waived. George Schmitt informed the applicant to submit new Site Plan maps showing fencing and screening and to set the escrow account of \$2,000.00 for review of the application. Mr. Schmitt informed the applicant that any unused money will be returned at the end of the review. Continued to July.

Applicant was instructed to obtain a public hearing notice sign from the Town Clerk and post the sign two weeks prior to the public hearing.

Martin, Dana & Tracy Special Exception Permits: Tax Map #(SBL) 131 . – 2 – 13 Located at 261 Schoolhouse Rd. Special Exception for an accessory apartment and Special Exception for Residential use.

Mrs. Martin submitted new Site Plan drawings showing the porch moved to the opposite side of the barn from the creek. Mrs. Martin informed the Board that she and her husband plan to renovate the entire barn as a place for their family members to stay when they visit. Mrs. Martin continued that the main residence is only a two bedroom structure and they plan to have children which make it difficult for them to allow family to stay with them. Rob Fitzsimmons informed the Board that the applicant is seeking a renovation of approximately 3,026 square feet which is 1,426 above the allowed size for a caretaker dwelling. Rob Fitzsimmons informed the Board that the Martins were granted a variance for 1,426 Square Feet to be able to renovate the entire barn because they felt that they could have constructed an addition of this size on to the existing residence without a variance so repurposing the barn was a great idea. Rob Fitzsimmons also stated that the plan needed to move the porch to the opposite side of the barn from Loomis Creek and that the renovation was to remain within the original footprint of the current structure. Chairman Brian Goodrich asked if the septic system is a separate system. Mr. Didio of Taconic engineering informed the Board that there will be a separate septic system for which perk testing is complete and a design has been submitted to the Columbia County Department of Health for approval. Mr. Didio stated that the system will be an in-ground design with a pump. Mr. Didio also informed the Board that they have performed a well test and found that the well is sufficient for the caretaker dwelling to use the existing well. Joseph Singleton informed the Board that he checked the property and he found that it is not in any floodplain but informs the applicant that the property does flood as he has witnessed.

Chairman Goodrich opened the meeting to the public hearing at 7:46 p.m.

Chris Costa of Millbrook Rd. asked where this home is located.

Mrs. Martin stated that she owns the former Holze residence.

No further comments. Chairman Goodrich closed the public hearing at 7:47 p.m.

Motion to grant a negative declaration with regard to the SEQRA was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried.

Motion to approve a Special Exception Permit for a caretaker dwelling at 261 Schoolhouse Rd. was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried.

Mrs. Martin paid mailing fee of \$5.76 by check.

Foundation for Agricultural Integrity/Churchtown Dairy Site Plan Review: Tax Map #(SBL) 141 . - 1 – 53 . 100 Located at 357 County Rte. 12. Site Plan Review for the modification of the original Site Plan adding a farm residence and other farm buildings.

Richard Anderson and Mr. Carl Matuszek the project engineer were present for the application. Mr. Anderson informed the Board that the plan is to construct a 3,200 square foot farmhouse within the 5 acre area of allowed development within the CCLC property. Chairman Goodrich informed the Board that the site plan maps now show the distances between wells, septic and structures. Mr. Matuszek reviewed the different sanitary systems for the Board. Joseph Singleton asked if the proposed septic system has CCDOH approval. Mr. Matuszek answered no but that he has met with Mike DiRuzzio and perked but the system is in the design stage. Joseph Singleton asked if the flow rate for the well was sufficient for all of the buildings to use. Mr. Matuszek answered that the well has an 8 gallon per minute flow rate. Joseph Singleton stated that this is a low rate. Mr. Anderson stated that this rate is incorrect because the well was fracked by Claverack Pump Service and the flow rate is around 20 gpm. Joseph Singleton suggested that the applicant make sure of the rate of water and if needed make sure that a new well has enough space from the sanitary systems. Mr. Matuszek stated that the well is considered a public well due to the number of users. Joseph Singleton asked if the well is tested and if so who takes the samples of the water. Mr. Matuszek answered that the CCDOH or Ag and Markets will be testing the well. Joseph Singleton asked if there is a plan in place to test the well. George Schmitt stated that if the CCDOH is aware of the public well then they will make sure it is tested regularly by their office.

Chairman Goodrich opened the meeting to the public hearing at 8:05 p.m.

Chris Costa of 411 Millbrook Rd. stated submitted photos for the Board showing numerous cars at the site and informed them that she knows that the site is holding events as early as last weekend for \$500.00 per plate. Mrs. Costa asked the Board if this is a farm or an event venue. Mrs. Costa informed the Board that she was told by the owner that the property would be a farming operation but she only sees 20 cows and even they disappeared only to return last week. Mr. Anderson stated that they have hosted a couple of different events for local non-profits as fundraisers but the farm does this for no cost. Mr. Anderson continued that the property is 250 acres and the hope is to start an educational session. Mr. Anderson stated that he has turned down several people seeking to use the property for their wedding.

Joe Costa stated that he is confused as to why the Planning Board would entertain new buildings when the original buildings are not in use for the purpose they were approved for. Mr. Costa informed the Board that the site is listed on-line as a 3,000 square foot big open event center. Mr. Costa continued that he has attended several of the meetings involving the applicant and this has not come up. Mr. Costa informed the Board that just last Saturday the property had over 250 vehicles because he saw approximately 30 get lost coming and going from the event. Carolyn Wilber asked what the additional buildings were proposed for. Mrs. Wilber continued that the owner met with her and her husband before the original construction of the property and were sold a bill of goods about the great farm, cheese making facility and farm store. Mrs. Wilber stated that the plan is for a Triform facility type house which was not what she was told by Ms. Rockefeller. Ms. Wilber stated that there is not a need for another Triform residence when several are just a mile or so away. Mr. Anderson answered that the additional buildings will be for a calf shed; chicken house, smoke house, pig house and the main director's house will be the farmhouse. Mr. Anderson stated that the farmhouse was not on the original Site Plan. Mrs. Wilber stated that this was not the type of farm she was informed about by Ms. Rockefeller. Mr. Anderson informed the Board that they have held events for the Hudson Opera House as well as Columbia Land Conservancy and will be holding an event soon to help the Claverack Library. Mrs. Wilber stated that she feels she was deceived and that this is not what the neighbors would want in the neighborhood. Mrs. Wilber also stated that she was told that this farm would create jobs but there aren't any animals or farm store so no new jobs. Mr. Anderson stated that they plan to hire a horticulturalist and a cheesemaker.

Tara Miller of 265 Stickles Rd. informed the Board that she attended the original meeting with Ms. Rockefeller and the site has held far more than one or two events. Ms. Miller stated that weddings have been held and she has documentation of these events. Ms. Miller stated that she hears music ongoing. Ms. Miller informed the Board that the farming story is a façade. Ms. Miller stated that the farm has no cows all year and then about a month ago about 20 cows were trucked in.

George Starr lives adjacent to the property but in the Town of Livingston. Mr. Starr informed the Board that he has been friends with the property owner for several years and was told that nothing would be built near his property. Mr. Starr continued that he went away for a few days about a week ago and when he arrived home he found that a pole barn had been erected right next to his property line. Mr. Starr stated that there is something new all of the time being built on the site.

Rob Fitzsimmons informed the Board and the applicant that the Town has received several complaints about the property and hears the comments of the public and notices the applicant that they are on the radar of the TOC

Building Department and are being watched. Rob Fitzsimmons informed the applicant that they have applied for a farm operation only and they will be held to that use by the Building Department. Rob Fitzsimmons continued that there is such a thing as farm weddings that are allowed under NYS Ag & Markets law but they are required to have a designated resource i.e. apples, cider, etc. but not commercial venture. Chris Costa asked if there is a set amount or limit of the number of events that could be held. Joe Costa again informed the Board that he has attended several meetings regarding the site and he feels that the applicant should be required to operate the farm business and store for which they have approval for before they can apply for additional buildings. Mr. Costa stated that the farm has not helped the community as promised. Stephen King urged Mr. Anderson and Ms. Rockefeller to reach out to the neighbors. Scott Cole highly suggests that the applicant provide an overview of where the use is going because the submitted photos of the events do not lie. Mr. Anderson informed the Board that these events were not paid but the farm donated the use of the facility to non-profits to use for fundraising. Stephen King stated that it is not an issue of money but rather an issue of use.

Motion to close the public hearing was made by Scott Cole with a second from Stephen King. All in favor. Motion carried. Public hearing closed at 8:20 p.m.

Motion for a negative declaration with regard to SEQRA was made by Stephen King with a second from Joseph Singleton. All members were in favor. Motion carried.

Motion to approve the Site Plan modification for the addition of farm residence and additional farm buildings to be used as depicted on the Site Plan was made by Scott Cole with a second from Joseph Singleton. All members in favor. Motion carried. Mr. Anderson will pay the mailing fee at a later date. Maps were stamped, signed and held for mailing payment.

Doric Architectural Cast Stone Special Exception/Site Plan Review: Tax Map #101 . – 2 – 2 . 120 Located at 19 Salerno Drive. Site Plan and Special Exception for an addition to an industrial structure for the manufacturing of architectural cast stone products and the production of cast stone products.

Paul Freeman; attorney and Brandee Nelson; engineer from Crawford and Associates was present for the application. Ms. Nelson informed the Board that there were a series of comments at the May Planning Board meeting from the Planning Board members and also a comment letter from TOC engineer George Schmitt was received on May 24, 2016. Ms. Nelson informed the Board that the Site Plan was modified according to George Schmitt's comment letter. Ms. Nelson informed the Board that on May 18, 2016 a letter was received from the Columbia County Sewer and Water stating that a 5,000 gallon per day discharge into the Columbia County Sewer district would be fine which is not sanitary water only water used in the cement process. Ms. Nelson stated that she has reached out to the Columbia County Sewer and Water district and informed this entity that the applicant will install a pre-treatment system within the facility if required. Joseph Singleton asked if there is a letter from Mr. Malcolm that states the 5,000 gallon per day discharge will have little to no impact. Joseph Singleton stated that this amount is 25% of the daily capacity and he reminded the applicant that the Columbia County Sewer and Water district is under NYS Consent order at the current time. Joseph Singleton stated that he feels that this issue should be cleared up. Brandee Nelson stated that Mr. Malcolm felt that the 5,000 gallon per day discharge would be helpful. Mr. Freeman stated that the applicant is required to comply with the Order of Consent before they will be allowed to operate. Joseph Singleton asked if the applicant will have their own sample station within the building. Mr. Freeman stated that the applicant is required to comply with the NYS DEC mandates. Joseph Singleton stated that he is just asking. Mr. Freeman stated that the TOC Planning Board cannot force mandates on the applicant and NYS DEC has jurisdiction and the applicant must satisfy NYS DEC and will discharge only the amount which they are allowed to discharge. Rob Fitzsimmons informed the Board that the County is under a NYS DEC Consent Order with regard to the Sewer and Water system in the commerce park. Rob Fitzsimmons continued that the County Sewer and Water district is in need of upgrading and several meetings and plans have been reviewed but there is an issue of funding for the projects before anything can be done. Rob Fitzsimmons continued that the County is well aware of the problems in the Commerce Park but they also want businesses to come to the park. Rob Fitzsimmons informed the Board that on June 22, 2016 the County will be making a decision which looks like tying into the Greenport option of a forced main but there needs to be funding. Rob Fitzsimmons stated that this issue is out of the Town of Claverack Planning Board's jurisdiction. Joseph Singleton stated that he felt it is within the TOC Planning Board's jurisdiction to mandate. George Schmitt stated that this is not the TOC Planning Board's jurisdiction because the waste water system is owned by Columbia County and the County will not give a letter of specificity and the project is under the scope of SEQRA and he is fine with the letter from Mr. Malcolm. Joseph Singleton stated that he will then abstain from the voting because he feels that

there is not enough assurance. Brandee Nelson submitted an Article V describing the pretreatment standards. Rob Fitzsimmons informed the Board that he understands Mr. Singleton's concern but the County is on the hook to make the sewer system work and if the County feels that more flow into the system will be good then the TOC Planning Board must accept. Joseph Singleton asked what if there is a significant environmental impact. Rob Fitzsimmons answered that the County is under the gun to create a new system. Brandee Nelson informed the Board that there is such little flow at the current time that the 5,000 gallon per day discharge would be beneficial to the system but she will contact Mr. Malcolm for guidance. Mr. Sutra informed the Board that this cannot be a condition of approval held to their application. Mr. Freeman stated that the County manages the plant and has said that they need more flow and they welcome the discharge. Joseph Singleton stated that he wants someone to put it in writing that the County wants the additional discharge. Mr. Freeman read the no impact from the addition of 5,000 gallons of discharge per day and that the county will regulate and if found that the discharge is causing problems they will require the applicant to pretreat the discharge. Joseph Singleton then stated that he thought the applicant was already agreeing to pretreatment in house. Mr. Sutra stated that he met with Mr. Malcolm and agreed to have pretreatment to maintain the Ph levels only. Joseph Singleton asked what is done in the applicant's Chicago plant. Mr. Sutra stated that their Chicago plant filters and discharges the water and monitors and maintains the Ph levels. Mr. Sutra continued that the County has set a limit as to the amount of daily discharge to help the sewer system and they have agreed to remain within this limit and they are bound to comply with the amount of daily discharge.

Chairman Goodrich opened the meeting to the public hearing at 8:55 p.m. No comments. Chairman Goodrich closed the public hearing at 8:56 p.m. Brandee Nelson informed the Board that there is a typo in the SEQRA on page #1 question 3B should be .91 acres of disturbance. George Schmitt reviewed the SEQRA for the Board. Motion to grant a negative declaration with regard to the SEQRA was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried.

Motion to approve a Site Plan & Special Exception Permit for Doric Architectural Cast Stone to operate as depicted on the Site Plan and in accordance with Morris and Associates comment letter of 5/24/16 was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried.

Joseph Singleton asked that the Industrial Development Authority brief the Planning Board on what their options are regarding the sewer system for the Commerce Park because he knows that there are several other businesses that would like to come to the Commerce Park but they are hesitant. Joseph Singleton stated that he feels the level of cooperation is low. Rob Fitzsimmons stated that he will have Ed Stiffler come in to talk to the Planning Board. Brandee Nelson paid final fee for mailing of \$4.32 in cash. Maps were stamped and signed.

NEW APPLICATIONS FOR 6/6/16:

Shulkin, Magic Hat Properties: Tax Map #101 . - 2 - 2 . 112 Located at 37 Salerno Drive. Special Exception for Warehouse Use and Accessory Apartment.

Mr. Shulkin was present for the application. Mr. Shulkin is currently occupying 34 Salerno Drive. Mr. Shulkin informed the Board that the application incorrectly places the address of the building as 37 Salerno Drive but it is actually 34 Salerno Drive. Mr. Shulkin informed the Board that he purchased the building December which was formerly a recycling facility and has been cleaning the property up since that time. Mr. Shulkin informed the Board that he plans to use the facility for three different businesses. Mr. Shulkin continued that he plans to sublease a portion of the property to a woodworker and part to a metal fabricator and the third part for his business to store furniture and home goods for families after a fire and for metal shelving and pallet packing. Mr. Shulkin informed the Board that he plans to install two fire walls within the structure. Stephen King asked if there is an accessory apartment. Mr. Shulkin answered yes for a worker to live on site. Mr. Shulkin informed the Board that the building will remain as is with only renovation to the interior. Chairman Brian Goodrich asked if there will be outside storage of any materials. Mr. Shulkin stated that there will be outside storage of materials but his site plan includes fencing. Mr. Shulkin stated that the plan for renovation is for the installation of two firewalls, an accessory apartment and to install garage doors over the existing concrete bunkers. Scott Cole stated that as a firefighter he has a concern with a metal fabricator next to a woodworking facility but the applicant will be required by the Town Building Inspector to meet the code requirements. Mr. Shulkin informed the Board that he is a small business and is small business friendly that is the reason for setting up space for other small businesses. Joseph Singleton stated that this looks like a good reuse of the building. Mr. Shulkin also informed the Board that he plans to upgrade the lighting to LED low voltage lighting along NYS Rte. 9-H and he did place more powerful

lighting toward the building for safety. Mr. Shulkin asked if the Board members had any knowledge of the history of the U.S. Flag on the building before he paints the building. Board members answered no.

Motion to classify as an unlisted action for purposes of SEQRA, accept the application as complete and set for public hearing at the July 6, 2016 meeting was made by Joseph Singleton with a second from Stephen King. All members were in favor. Motion carried. Applicant was instructed to obtain a public hearing notice sign from the Town Clerk and post the sign two weeks prior to the public hearing.

Hess, Kenneth John/ Trillium Acres LLC Subdivision: Tax Map #122 – 01 – 78. Located at 248 Roxbury Rd. Subdivision of 112 acres.

Mr. and Mrs. Hess was present for the application. Mr. Hess informed the Board that he is seeking to subdivide 5 acres from his property on Theilman Rd. for potential sale. Joseph Singleton asked what the frontage is. Mr. Hess stated 150 feet of frontage. Joseph Singleton asked if the property has been perk tested. Mr. Hess stated no. Mrs. Hess informed the Board that they did not have the property perk tested because they were told that the perk tests are only good for one year and they don't want to perk test and have it run out before they sell the property. George Schmitt informed the applicant that a perk test as part of the CCDOH approval is good for five years and is good for one year if not surveyed and marked on subdivision maps. George Schmitt informed the applicant that the survey will not time out unless it is not sold then they could ask for a waiver. Chairman Goodrich instructed the applicant to indicate the perk test sites on the subdivision map. Rob Fitzsimmons asked for a driveway letter from Louis Lamont. Mrs. Hess answered that this letter was submitted to the file. Chairman Goodrich informed the applicant to update the Subdivision maps with the perk test sites.

Motion to classify as a minor subdivision and classify as an unlisted action with regard to SEQRA, accept the application as complete and set public hearing for July 6, 2016 was made by Joseph Singleton with a second from Stephen King. All members were in favor. Motion carried.

Applicant was instructed to obtain a public hearing notice sign from the Town Clerk and post the sign two weeks prior to the public hearing.

INFORMAL:

Starkes Family Trust Subdivision Boundary Line Adjustment:

Frank and Irene Starkes were present for the application. Mr. Starkes informed the Board that he owns 5 different parcels and is seeking to make two parcels out of them. Mr. Starkes continued that he wants to clean up the mess before he leaves it to his children to figure out. Mr. Starkes explained that the parcel marked #2 will have access from NYS Rte. 23B and parcel #1 has a 32 foot owned right of way which the Town of Claverack plowed up until 1960. Mr. Starkes informed the Board that he has garages across property lines and has maintained the 50 foot right of way which is not owned by anyone and no one pays taxes on it. Stephen King asked if the Town of Claverack could take this right of way over. Rob Fitzsimmons informed the applicant and Board that the Town of Claverack did not create the current situation so they will most likely not agree to a takeover.

Motion to classify as a Class 1 Boundary Line Adjustment, classify as an unlisted action with regard to SEQRA and set public hearing for July 6, 2016 was made by Scott Cole with a second from Stephen King. All members were in favor. Motion carried. Mr. Starkes informed the Board that he will be away for the July meeting so will send his daughter Barbara Robinson to represent the application and will send a letter to verify.

Other Business:

Town Board member Katy Cashen informed the Board that the Town was approached by a resident of Kittle Rd. who wants to purchase a piece of property adjacent to his for the purposes of building a dog training/kennel facility. Katy Cashen informed the Board that the applicant is currently before the TOC Zoning Board of Appeals for a Use Variance because the property is in the Rural Residential Zone. Ms. Cashen continued that this person is requesting that the property in question be rezoned Commercial because it is next to the Commerce Industrial Park zone. Ms. Cashen indicated that the applicant stated that his neighbors are all fine with the plan. Scott Cole stated that this seems like spot zoning. Joseph Singleton asked if the applicant realizes that he will need to have a Site Plan review and will be required to follow NYS DOT curb cuts for commercial businesses. Chairman Goodrich asked Ms. Cashen about the number of dogs and noise issues being raised by the Humane Society.

Motion to adjourn the meeting was made by Stephen King with a second from Scott Cole. All members were in favor. Meeting adjourned at 10:45 p.m.

Respectfully submitted,
Jodi Keyser, Secretary