

TOWN OF CLAVERACK  
PLANNING BOARD  
Minutes: May 2, 2016

Chairman Brian Goodrich called the May 2, 2016 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were: Chairman Brian Goodrich, Judy Zink, Virginia Ambrose, Joseph Singleton, Gretchen Stearns, attorney; Rob Fitzsimmons, engineer; George Schmitt and secretary; Jodi Keyser  
Chairman Goodrich welcomed and introduced newly appointed Planning Board member Stephen King.  
Absent: Scott Cole.

Correspondence: Training information on Floodplain Management and Coastal Erosion was distributed to the members.

Board members reviewed the minutes of the April 4, 2016 meeting.

Motion to approve the April 4, 2016 minutes was made by Gretchen Stearns with a second from Judy Zink. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 5/2/16:

**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.

Secretary Jodi Keyser informed the Planning Board members that Ron Perez sent an email to her indicating that they are still awaiting further sound study information and would not be attending the May 2, 2016 meeting.

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

Secretary Jodi Keyser informed the Planning Board that she received a phone call from Tom Yung informing her that he was awaiting further information that was requested by the Board members and therefore would not be attending the May 2, 2016 meeting.

**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.

Tracy Martin was present for the application. Mrs. Martin introduced her engineer Chad Lundberg from Taconic Engineering. Mrs. Martin submitted a revised application for a Special Exception for a caretaker/owner occupied dwelling. Rob Fitzsimmons explained to the Planning Board members that Mr. and Mrs. Martin appeared at the Town of Claverack Zoning Board of Appeals meeting with an application seeking an Area Variance to renovate the entire barn into a caretaker/owner occupied dwelling and they are now set for a public hearing at the May TOC ZBA meeting. Mr. Lundberg informed the Board that he performed a physical survey to develop a supplemental septic on the site. Mr. Lundberg continued that he will schedule with the Columbia County Department of Health to meet their requirements for the additional septic system. Joseph Singleton asked if the property would be perked. Mr. Lundberg informed the Board that he has performed his own perk test and from that finding he started to design a plan and will now set up a meeting with the CC DOH to get the design approved. Joseph Singleton then asked if Mr. DiRuzzio will review and then submit a detailed letter of what type and size of the system. Mrs. Martin informed the Board that at the Zoning Board of Appeals meeting the Board members didn't have a problem with the porch if the porch was moved to the opposite side of the barn to keep away from disturbance to Loomis Creek. Gretchen Stearns informed the applicant that she has first-hand knowledge of that area flooding because she is a neighbor and suggested that the applicant speak with an engineer. Mrs. Martin informed the Board that at their closing for the property they were told that they were not in a flood plain. Gretchen Stearns stated that it might not be a DEC floodplain but she thinks it is a FEMA flood zone. Joseph Singleton informed the applicant that the windows on the second floor appear to be too small for egress and would not meet building codes unless they were larger so to allow

for a person to escape. Gretchen Stearns also informed the applicant that the application states that the property is in the RRA zone but it is actually in the RA zone and the density is 5 acres not 1 acre. Chairman Goodrich asked the Board members if they were comfortable to set public hearing for the application.

Motion to accept the application as complete, classify the application as an unlisted action and to set public hearing for June 6, 2016 contingent on the Town of Claverack Zoning Board of Appeals approval of the Area Variance was made by Virginia Ambrose with a second from Joseph Singleton. All members were in favor. Motion carried. Mrs. Martin was instructed to obtain a public hearing sign from the Town Clerk and post the sign at least two weeks prior to June 6<sup>th</sup>. Joseph Singleton asked if the plan is to use the one well to service both buildings. Mr. Lundberg informed the Board that he will test the well to make sure it is sufficient enough and there is plenty of separation between the well and existing and proposed septic systems.

**Foundation for Agricultural Integrity 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.

Mr. Anderson and Ms. Rockefeller were present for the application. Mr. Anderson reviewed the application for the Board members. Mr. Anderson stated that the application is seeking a modification to the previously approved Site Plan to construct a farm residence and other farm buildings. Mr. Anderson continued that the farm is owned by the Columbia Land Conservancy and they have set a 5 acre ADA (allowed development area) area within the 18- acres of the entire farm. Mr. Anderson continued that the application is for a 3,200 square foot farmhouse plus 7,000 square feet of additional farm housing and other farm related buildings. George Schmitt informed the applicant that the septic sites need to be indicated on the Site Plan maps. Mr. Anderson stated that he understood that he needs this when he goes for the building permit and at that time he will show the Building Department the sites of the septic. Joseph Singleton informed the applicant that this is what he asked for at the previous meeting which was to show the existing septic and well with the exact dimensions of the distances with everything on the Site Plan to scale. George Schmitt informed the applicant that it is difficult to access the distances and sizes from the drawings on the maps and that the Planning Board needs the exact dimensions and details of the septic system so that they can approve the plan and not approve a plan that is to be designed at a later date. George Schmitt continued that for purposes of SEQRA the Planning Board needs to know exactly what they are approving and that this design is an approved design. Joseph Singleton stated that the maps need to be drawn to scale not just pencil drawings that are added to the map. Mr. Anderson informed the Board that he has a Columbia County Department of Health approved septic system for the farmhouse. Joseph Singleton stated that the Site Plan needs to have the distances of separation between the wells and the septic systems. Mr. Anderson then asked if the Planning Board expects all of the applications to have approved septic systems designed prior to their approvals. George Schmitt answered yes all Site Plans are required to have engineered drawings to scale that show wells, septic systems and the exact distances of separation between them. Gretchen Stearns asked if the Planning Board could grant a conditional approval pending the engineered drawings. George Schmitt answered that he needs to review engineered drawings. Mr. Anderson asked if the Planning Board could approve the farmhouse because he has an approved septic design. George Schmitt answered that this approved design is not reflected on the Site Plan maps. Joseph Singleton asked how many wells are used on the site. Mr. Anderson answered one. Joseph Singleton then stated that this is something he just learned. Virginia Ambrose stated that these items should be indicated on the Site Plan maps. Mr. Anderson stated that the plan was approved 2 years ago. George Schmitt stated that the Planning Board needs to have engineered Site Plan maps showing the proposal with all the criteria and that Mr. Anderson could have his engineer contact him for specifics. George Schmitt continued that exact measurements of the distances of separation between all of the wells and septic systems and buildings need to be on an official Site Plan. Gretchen Stearns asked if there could be a compromise. George Schmitt stated that the Planning Board would be setting a precedent of approving the plan without seeing the exact plan. Motion to continue public hearing to June 6, 2016 was made by Virginia Ambrose with a second from Joseph Singleton. All members were in favor.

#### **NEW APPLICATIONS FOR 5/2/16:**

**Miller, Bruce & Luann Boundary Line Adjustment:** Tax Map # 132 . 00 – 01 – 13 Located at 351 County Rte. 16. Boundary Line Adjustment of .061 acres.

Matt Bowe was present for the applicant. Mr. Bowe submitted a notarized letter from Mr. & Mrs. Miller granting permission for him to represent the application. Mr. Bowe submitted new maps and the application fee of \$300.00.

Mr. Bowe explained to the Board that this is a Boundary Line Adjustment between the Millers and Mr. Mulford who is gaining .061 acres from the Millers to widen his site view for his driveway. Chairman Goodrich asked what zone the proposed BLA is in. Matt Bowe answered Hamlet Residential. Chairman Goodrich stated that this is allowed for this zone. Rob Fitzsimmons informed the Board that this application is a Class 1 Boundary Line Adjustment. Motion to classify as a Class 1 Boundary Line Adjustment was made by Gretchen Stearns with a second from Joseph Singleton. All members were in favor. Motion carried. Chairman Goodrich opened the meeting to the public hearing at 7:40 p.m. No comments or concerns were heard. Chairman Goodrich closed the public hearing at 7:41 p.m. George Schmitt reviewed the SEQRA for the Board. Chairman Goodrich asked if the applicant has obtained driveway approval from the Columbia County Department of Transportation Mr. Bowe answered that Mr. Mulford has an existing driveway that is approved and it is up to him to contact the CC DOT. Motion to grant a negative declaration for purposes of SEQRA was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried. Motion to approve the Class 1 Boundary Line Adjustment contingent upon Town of Claverack attorney review of the proposed deeds was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried. Chairman Goodrich will stamp the maps upon review of deeds and Mr. Bowe was informed that the final fee for the application is \$150.00.

**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, Todd Surta, Craig Surta and Jay Trapp of Crawford and Associates were present for the application. Mr. Freeman informed the Board that the applicant has retained Crawford and Associates to do the site plan and after meeting with the ACS Industrial Engineer they needed to modify the original submission. Jay Trapp described the changes that being to change the flow pattern of the trucks, to relocate silos and the modular office and added handicapped and regular parking spaces. Mr. Trapp continued that minor grading is required for the driveway and trees will be relocated and they will apply to the Columbia County Department of Transportation for new entrance/exit onto Salerno Drive. Mr. Trapp explained that this use is an extension of the existing use which will produce architectural cast stone products. Mr. Trapp informed the Board that most of the site is gravel and that .62 of an acre will be disturbed so no need for a SWIPP but they will maintain runoff during construction. Mr. Trapp continued that there are no setback issues and the existing screening consisting of trees will remain intact. Mr. Trapp informed the Board that the signage will be in the same spot as the existing sign is but might be smaller. Mr. Trapp informed the Board that the applicant plans to use the existing silos and will construct 3 additional silos with all of the silos to be 35 feet or less in height. Joseph Singleton asked where the catch basins were located on the map. Also Joseph Singleton asked how many employees were the parking spaces designed to accommodate. Mr. Trapp answered that there would be approximately 20 employees at the maximum working so this is the number they used to design the parking lot. Joseph Singleton also asked if the sign had graphics. Mr. Trapp stated that the signage is in design but would most likely be smaller than the existing signage. Mr. Trapp informed the Board that the lighting will be ½ to .1 candle watts with two lights being placed above the overhead doors and one over the office door and no lighting will be over 20 feet high with full cut off directed downward facing fixtures to mitigate spillage and for the least impact. Gretchen Stearns asked how the water and sewer items designs were being planned. Mr. Freeman informed the Board that the applicant met with the county regarding the sewer system. Joseph Singleton stated that he is concerned that the correct PH of the system would not be maintained properly. Todd Surta informed the Board that he is well aware of the PH levels and what is required to maintain the proper levels and how to regulate these levels through his plant. Joseph Singleton stated that he has concerns with the SPEDES permit. Todd Surta informed the Board that the Chicago plant runs on a well and septic system and they have not had issues. Joseph Singleton stated that this plant will be a big contributor to the sewer system and would request that a letter of agreement be drafted between the applicant and the County that PH levels will be maintained and the flow from the plant into the sewer will be within a determined amount. Rob Fitzsimmons informed the Board and the applicant that they will not get the County to agree to any letter because they are currently in discussions with several different companies and several different designs to mitigate the issues with the current sewer system. Rob Fitzsimmons continued that there are bonding issues as well as different county agencies involved. Rob Fitzsimmons will speak with the Columbia County engineer. Joseph Singleton stated that he would like it to be known that the Town of Claverack Planning Board is aware of the sewer system issues. Gretchen Stearns asked the applicant what would be the hours of operation. Mr. Surta answered 4:30 a.m. to 8:00 p.m. Gretchen Stearns then asked if the outside lighting would be

cut at a certain hour. Mr. Trapp stated that the lights must remain on for safety reasons but will power down at a certain time. Mr. Surta informed the Board that the insurance company mandates that lights are to be illuminated when workers are at the building. Gretchen Stearns stated that the tree line along NYS Rte. 66 that is used as screening does have trees that are 6 feet high but they are very scrawny and she feels that more trees need to be added or a fence to give better screening. Mr. Freeman stated that the existing screening was approved in the previous site plan for the property. Gretchen Stearns stated that was correct but the screening needs to be dense with more natural plantings or a fence. Gretchen Stearns informed the applicant that this is a great new business to the area and it is great that the applicant will be working with Columbia Greene Community College to have a possible internship program. George Schmitt informed the applicant that an existing condition survey along with the truck path added to the maps is required. Mr. Trapp stated that he will add the turning template and flow chart. Gretchen Stearns informed the applicant that the application the zone for the parcel should be CIP. Mr. Freeman acknowledged and will change. Chairman Goodrich asked the Board members if they felt they had sufficient information to be able to schedule the application for public hearing for the June 6<sup>th</sup> meeting.

Motion to accept the application as complete, deem the application as an unlisted action with regard to SEQRA and set public hearing for June 6, 2016 was made by Joseph Singleton with a second from Gretchen Stearns. All members were in favor. Motion carried. The applicant was instructed to obtain a meeting notice sign from the Town Clerk and post the sign at least two weeks prior to the public hearing. George Schmitt informed the applicant of the punch list for the June meeting as follows:

Additional plantings or a fence along NYS Rte. 66

Existing condition survey

Truck path route

Re-designate the parcel across the street from the facility as CIP

Classify as an unlisted action

Power down of lights during non-working hours

Pre-treatment and sewer impacts.

Public hearing set for June 6, 2016

#### INFORMAL:

Helen Viebrock Hamel introduced herself and her dilemma. Ms. Hamel owns 531 Roxbury Rd. which contains 2 acres. Ms. Hamel purchased the property 5 years ago but 3 weeks ago she had a survey done and it was discovered that the garage belonging to her neighbors at 525 Roxbury Rd. is partially on her property. Ms. Hamel informed the Board that she would like to sell a portion of the property to the neighbors but since this is not her fault would like to keep it to the minimum allowed or less. Ms. Hamel submitted the building permit and the occupancy certificate for the garage to the Board. Ms. Hamel stated that the garage was constructed in 2005. Rob Fitzsimmons informed Ms. Hamel that the required setbacks are 20 feet for an accessory barn and if she wanted to have less of a setback then she would need to apply to the TOC Zoning Board of Appeals for an area variance. Ms. Hamel stated that she would prefer only a 10 foot setback around the garage if possible because she doesn't want to lose her sight lines and property. Ms. Hamel thanked the Board and will review her options and a possible application to the Zoning Board of Appeals.

Motion to adjourn the meeting was made by Virginia Ambrose with a second from Judy Zink. All members were in favor. Motion carried. Meeting adjourned at 8:30 p.m.

Respectfully submitted,  
Jodi Keyser, Secretary