

Approved 11/7/16

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes: October 3, 2016**

Chairman Brian Goodrich called the October 3, 2016 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

**Members in attendance were: Chairman Brian Goodrich, Virginia Ambrose, Scott Cole, Gretchen Stearns, Joseph Singleton, attorney; Rob Fitzsimmons, engineer; George Schmitt and secretary; Jodi Keyser
Absent: Judy Zink and Stephen King**

Board members reviewed the minutes of the September 7, 2016 meeting.

Motion to approve the minutes of the September 7, 2016 was made by Scott Cole with a second from Judy Zink. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 10/3/16:

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.

Planning Board members asked secretary Keyser if she had received any correspondence from the applicant. Secretary Keyser informed the Board that the applicant has not made any contact with her on their appearance prior to the meeting. Board members asked secretary Keyser to indicate that this is the applicant's 2nd Strike and if they get another strike their application will be dropped and they will be forced to re-apply.

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

Secretary Keyser informed the Board that the applicant notified her that they are awaiting the perk testing and other issues and have asked to be continued until further notice.

Hayes, Daniel & Peter Subdivision/Boundary Line Adjustment/Subdivision: Tax Map #(SBL) 112 . 2 – 2 – 46 & 112 . 2 – 2 – 49. Boundary Line Adjustment of property from the estate of Daniel Hayes at 793 NYS Rte. 217 to be merged with property of Peter Hayes located at 92 Church St.

Secretary Keyser informed the Board that Mr. Hayes is currently applying to the TOC Zoning Board of Appeals for an Area Variance so his application will be on hold pending their decision.

Bloomfield/Riley Boundary Line Adjustment/Subdivision with Kucija: Tax Map #(SBL) 121 . – 1 – 24 . 112 Located at 91 Courts Lane. Boundary Line Adjustment of 3.447 acres from James Bloomfield & Jessica Riley to be merged with lands of Francis Kucija at 51 Courts Lane.

Mr. Kucija was present for the application. Mr. Kucija informed the Board that he owns approximately 21 acres on Courts Lane in Claverack and is seeking a Boundary Line Adjustment to acquire 3.4 acres from his neighbors Riley and Bloomfield. Mr. Kucija continued that if the Boundary Line Adjustment is approved he will then have a total of 24 acres. Gretchen Stearns stated that the applicant could now subdivide and sell off parts of his property. Mr. Kucija answered that he purchased his property 13 years ago and he is only seeking to acquire more property along the side of his property to increase his setback. Mr. Kucija informed the Board that he has no intention of selling and the property could not be subdivided and have the required road frontage. Rob Fitzsimmons informed the Board that he received the proposed deeds revisions from Mr. Kucija's attorney and they are fine. Chairman Brian Goodrich opened the meeting to public hearing at 7:04 p.m. No comments were received. Chairman Goodrich closed the public hearing at 7:05 p.m. George Schmitt reviewed the SEQRA Part II for the Board members.

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

Motion to grant the Class 1 Boundary Line Adjustment was made by Scott Cole with a second from Virginia Ambrose. All members were in favor. Motion carried.

Maps were stamped and signed. Mr. Kucija was instructed on the requirement of filing the maps with the County Clerk.

Mr. Kucija paid the final fees of \$150.00.

Gretchen Stearns questioned the fact that the TOC requires applicants seeking a simple Boundary Line Adjustment to have a public hearing. Gretchen Stearns continued that many surrounding towns do not hold public hearings for Boundary Line Adjustments and suggested that the Town of Claverack make this change in the Town law also. Board members agreed. Katy Cashen and Stephen Hook in the audience will take the suggestion to the Town Board members.

NEW APPLICATIONS for 10/3/16:

Dutch Village/Aggrippino Boundary Line Adjustment-Subdivision: Tax Map #(SBL) 110 . – 1 – 3 Located at 510 NYS Rte. 66. Boundary Line Adjustment/Subdivision of .096 acres to be merged with the lands belonging to Aggrippino.

Jeff Plass was present for the application and also for Dan Russell. Mr. Plass informed the Board that a recent survey performed by the Aggrippinos found that a portion of their garage is on the property owned by the Dutch Village Mobile Home Park. Mr. Plass continued that his clients are seeking a Boundary Line Adjustment to purchase enough property to allow for the required setbacks for the existing garage.

Motion to classify the application as a Class 1 Boundary Line Adjustment, deem the application complete and set public hearing for the November 7, 2016 meeting was made by Virginia Ambrose with a second from Gretchen Stearns. All members were in favor. Motion carried.

Bertels & Daley Boundary Line Adjustment/Subdivision with Marks & Tavano: Tax Map #(SBL) 130 . – 1 – 6 . 12 Located at 29 Van Deusen Rd. and 294 Stone Mill Rd. Boundary Line Adjustment of .50 acres to be merged with lands of Marks & Tavano.

Mr. Plass was present to represent the applicants as well as Mr. Marks and Mr. Tavano. Mr. Plass informed the Board that Mr. Marks and Mr. Tavano are seeking to purchase a 50 foot strip of land along their property line to increase his sideyard setback. Mr. Plass continued that the property being purchased amounts to approximately ½ acre.

Motion to classify as a Class 1 Boundary Line Adjustment, deem the application complete and set public hearing for November 7, 2016 was made by Virginia Ambrose with a second from Joseph Singleton. All members were in favor. Motion carried.

Mr. Marks paid the application fee of \$300.00.

INFORMAL:

Andrew Urista owns .6 of an acre of property on Millbrook Rd. Mr. Urista's neighbor owns 2.6 acres of which a portion borders Mr. Urista's property in the back. Mr. Urista asked if he would be able to purchase the approximately .6 of an acre. Joseph Singleton stated that this would not be a big deal. Gretchen Stearns informed the applicant that his property is in the 5 acre zoning and it would make his non-conforming pre-existing parcel still non-conforming and would also make his neighbor's property a smaller non-conforming pre-existing parcel. Rob Fitzsimmons informed Mr. Urista that his neighbor would need to apply for an Area Variance with the Town of Claverack Zoning Board of Appeals. Gretchen Stearns stated that she would not have a problem with the plan but it would need an Area Variance first.

Town Board member Katy Cashen informed the Board that she has received a call from a Ms. Koch who owns and operates a Bed & Breakfast on Fish & Game Rd. because she is asking to do some different things at the B&B but she has 11 conditions on the Building Permit granted by Stan Koloski. Katy continued that one of these conditions is that she is not allowed to serve alcohol. Katy asked the Board members what she should tell Ms. Koch.

Town Board member Katy Cashen then addressed the issue of no show applicants. Ms. Cashen suggested that if the Board were in agreement that the secretary should call the applicants prior to each meeting. Ms. Cashen continued that she spoke to Mrs. Hess about her application and that Mrs. Hess didn't know that she had to inform the Planning Board secretary if they would or would not be attending the meetings prior.

Chairman Brian Goodrich informed the Planning Board that they need to be aware of the possibility of conflicts of interest and their appointment as a member of the Planning Board. Chairman Goodrich continued that he has received information about an incident that recently took place in Greene County where a business man was before the Town's Planning Board seeking something and after the application was granted one of the Planning Board members asked the business man for a donation to a fundraiser that he was running. Chairman Goodrich continued that the business man felt that this was inappropriate and now lawyers are involved and this has caused a big mess.

Chairman Goodrich also informed the Planning Board members that he will soon become a snowbird and will be living in Florida for 6 months of the year with his new wife and the other 6 months he will have an address that is in the Town of Livingston. Chairman Goodrich then informed the Board members that he has submitted his letter of resignation and also recommended Deputy Chairman Scott Cole to take over as Chairman of the Planning Board. Scott Cole informed the Board that he has to respectfully decline the offer due to family, business, and civic responsibilities but will help out as needed and would like to remain the Deputy Chairman. Chairman Goodrich informed the Board that anyone interested in becoming Chairman of the Planning Board should apply with the Town Board.

Town Board member Katy Cashen informed the Board that the Town Board is holding a public hearing to amend the local law for the Zoning Board of Appeals to decrease the number of Board members to 5. Ms. Cashen continued that after several discussions the Town Board decided that 5 would be a good number for the ZBA and they dropped the idea of appointing an alternate.

Gretchen Stearns informed the Board that she attended a workshop on solar and town government. Gretchen Stearns continued that the TOC Zoning Laws do not allow for solar farms because if it isn't defined in the law then it isn't allowed. Wind farms were denied across the board. Ms. Stearns continued that people and companies are looking for large tracts of land just for the purpose of installing hundreds of solar panels. Ms. Stearns suggested that the Town of Claverack begin to consider the issue of solar farming as other neighboring towns are now placing moratoriums on them. Rob Fitzsimmons informed the Board that he can obtain some sample laws. Gretchen Stearns stated that the discussion might be a good thing to have and consider if the solar farm will create jobs, increase revenue for the Town of Claverack and the sight of them for the community. Ms. Stearns continued that just like mining might not be an eyesore for most of the community it could affect those neighbors that are directly next to the site and solar farms are ugly unless they are highly secluded and densely screened from view. Ms. Stearns informed the Board that the solar industry is seeking to obtain a unified application that would require approval within 14 days.

Motion to adjourn the meeting was made by Virginia Ambrose with a second from Scott Cole. All members were in favor. Motion carried. Meeting adjourned at 7:50 p.m.

Respectfully submitted,
Jodi Keyser, Secretary