

TOWN OF CLAVERACK
PLANNING BOARD
Minutes: August 7, 2017

Chairman Scott Cole called the August 7, 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, William Michael, Gretchen Stearns, Robert Vecchi, Jock Winch, engineer; George Schmitt, attorney; Robert Fitzsimmons and secretary; Jodi Keyser

Board members reviewed the minutes of the July 5, 2017 meeting.

Motion to approve the minutes of July 5, 2017 was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 8/7/17:

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.

Representatives for the application were present. George Schmitt informed the Board that he has spoken to the representatives and will analysis the total package. Representatives from ABS informed the Board that the 250 watt power into the antennae meets all requirements. Mr. Yang informed the Board that the company is now seeing FCC approval but they need the Planning Board approval to move forward because this is required by the FCC. Mr. Yang continued that the company needs to hire a consultant to prepare the FCC permitting application but need Town of Claverack approval in order to continue. Stephen King informed the applicant that it is difficult for the Planning Board to approve without knowing the possible hazards. Mr. Yang informed the Board that the design of the satellite has been approved but the use of the satellite still requires FCC approval. George Schmitt informed the Board that the applicants have submitted a new SEQRA because it was incorrect. George Schmitt continued the Planning Board could grant approval contingent on FCC approval and allows the applicant to be able to hire a 3rd party engineer for FCC license application. George Schmitt also stated that the Planning Board will need a copy of the FCC permitting application process. Stephen King asked if the applicant had a landscaping design plan. Gretchen Stearns agreed that the applicant should submit a landscaping design with specific trees/shrubs and their placement. Mr. Yang informed the Board that the landscaping design will be submitted after they determine the specific sites for the satellites. Chairman Cole stated that landscaping can also be a condition of the approval. Gretchen Stearns informed the applicant that the plantings should be a mixture of natural shrubs and trees.

Motion to accept the application as complete and set public hearing for September 11, 2017 was made by Virginia Ambrose with a second from Gretchen Stearns. All members were in favor. Motion carried.

Mr. Yang informed the Board that the FCC usually takes 90 to 120 days.

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
On hold

Koch, Mary dba Thyme in the Country Site Plan Review: Tax Map #(SBL) 112 . – 1 – 4 . 200 Site Plan Review to revise the use of the bed and breakfast to include serving alcohol, increase the number of rental rooms from three to four and for the owner to occupy a separate building rather than the building of the bed and breakfast. Board members were informed that Ms. Koch appeared before the TOC ZBA and received unfavorable interpretation and was directed to appeal to the Town Board to have the law changed regarding bed & breakfast home occupation businesses.

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

Enzinga, Benjamin (formally Sabo, Denise) 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.

Dan Russell informed the secretary that he has not yet prepared the updated survey maps for the application and asked to appear at the September meeting.

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

Victoria Masters and Patrick Daley were present for the application. Gretchen Stearns informed the applicant that she has fussed a bit about the application but at this time she feels that the application is complete and it is an allowed use for the area with a Special Exception approval. Stephen King asked if the applicant had a timetable for completion. Ms. Masters informed the Board that her plan is to begin the infrastructure in early spring 2018 and to have the first of the smaller cabins. Ms. Masters continued that the infrastructure will take the longest. Stephen King asked if the 4 proposed phases are contingent on completion of the previous phase. Ms. Masters stated that the project will proceed in accordance with the success of the previous phase so if the cabins are not being rented out then they will hold up on the remaining cabins until business picks up. Stephen King asked if the specs for the cabins would change. Ms. Masters answered no the specs will not change only the timing of when the cabins will be placed on the property might be later than first thought but she envisions a 2 year time frame from start to finish. William Michael stated that a while back he remembered someone asking to build a caretaker house until they could complete the main residence and it was not allowed. Gretchen Stearns answered that this was because it was an accessory structure and the cabins are not accessory structures but interregal to the use itself. Rob Fitzsimmons informed the Board that this is an approved use for this property and is a commercial enterprise with the main house built later as the phasing progresses. Rob Fitzsimmons continued that the applicant does not want to build structures until they are needed. Virginia Ambrose asked if the farmers using the parcels will be living on the site. Ms. Masters answered no. Ms. Masters continued that she has hired Dan McMannus as a farming consultant and she has a beekeeper interested in setting up a site on the property. Ms. Masters stated that she has spoken to several farmers and she plans to wait until spring 2018 to show them the fields to allow for some clearing and prepping. Gretchen Stearns asked if George Schmitt has reviewed the plan. George Schmitt answered no. Board members agreed that George Schmitt should review the plans septic system design and to check for any activity around the wetland areas. Pat Daley informed the Board that the wetlands have been delineated on the maps. George Schmitt asked for details of the waste water and storm water plans. Rob Fitzsimmons informed the Board that the applicant is seeking approval to tie into the TOC Water supply but it requires approval from the Town of Greenport. Pat Daley informed the Board that he has spoken to TOC Highway Louis Lamont about the water supply. Pat Daley continued that they have prepared the SWPP and will provide a copy to George Schmitt and the level of disturbance is under the 5 acre threshold. Mr. Daley informed the Board that they submitted a check in the amount of \$1,500.00 for escrow. Gretchen Stearns asked if the applicant had any time limits for completing the phases. Rob Fitzsimmons informed the Board that the TOC Building Department Jay Trapp will check each phase at the time each is completed but the applicant can also always file for an extension if they are getting close to the time limit. Stephen King asked if the applicant could just give some sort of timeframe for full build out. Pat Daley stated that they plan to have everything completed within 10 years but hope it doesn't extend that far. Rob Fitzsimmons informed the applicant and Board that if there is any significant change in the design they will need to return to the Planning Board for further review.

Motion to accept the application as complete and set public hearing for September 11, 2017 was made by Jock Winch with a second from Robert Vecchi. All members were in favor. Motion carried. Applicant was instructed to obtain a public hearing notice sign from the Town Clerk's office.

NEW APPLICATIONS FOR 8/7/17:

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.

Ms. Rosenwald and Mr. Esterman were present for the application. Ms. Rosenwald explained that they own a home on Stone Mill Rd. but when their children visit with their grandchildren the home is not big enough. Ms. Rosenwald continued that they would like to install a small cabin in the back yard of their property for family members to sleep. Ms. Rosenwald continued that the cabin will have two bedrooms with a bathroom, no insulation or heating. Ms. Rosenwald stated that the cabin will only be used during the summer months. Virginia Ambrose asked why not just construct an addition to the residence. Ms. Rosenwald answered that this is not possible because of the way their property is and way the house sits on their site. Stephen King asked if the electric will be underground. Mr. Esterman answered yes. Mr. Esterman informed the Board that he met with the CCDOH and the existing septic system will accommodate the added bathroom. Rob Fitzsimmons informed the applicants that the proposed seasonal cabin without a kitchen and no heating is the way it will be described on the Certificate of Occupancy and if this ever changes it will need additional review.

Motion to accept the application as complete and set public hearing for September 11, 2018 was made by Gretchen Stearns with a second from Virginia Ambrose. All members were in favor. Motion carried.

Applicant was instructed to obtain a public hearing notice sign from the Town Clerk's office.

OTHER BUSINESS:

George Schmitt gave the Board an update on the Birch Builders/Cloverhills subdivision that was approved in 2008. George Schmitt continued that right after the approval the housing market dropped significantly and the builder stopped the expansion. George Schmitt continued that the builder started up again in 2016 -2017 in the winter without informing the Town of Claverack. Mr. Schmitt informed the Board that the TOC hasn't had the opportunity to inspect the roadways to be sure that they were built to TOC specs and they need to have a revised storm water design approved by NYS DEC. George Schmitt informed the Board that the TOC that the Town has placed a stop work order on the development until the builder brings things into compliance with the TOC and DEC.

Gretchen Stearns asked if the TOC has an inventory of empty or abandon properties within the Town.

Rob Fitzsimmons answered that the Assessor's office might have this information. Rob Fitzsimmons informed the Board that the Village of Philmont is currently underway with an inventory of their abandon and empty properties. Gretchen Stearns requested that the TOC compile a list of abandon and empty properties that might be used or repurposed instead of always building new.

Katy Cashen asked about the former Ockawamuck School and what is happening with the property. Ms. Cashen continued that she has noticed several vehicles and even tractor trailers parked at the site. Rob Fitzsimmons informed the Board that the building is owned by Eleanor Ambrose who owns several properties throughout the county. Rob Fitzsimmons continued that as far as he knew Ms. Ambrose uses the buildings as storage. Rob Fitzsimmons informed the Board that he will notify Jay Trapp regarding the building and cars.

Katy Cashen asked the Board if they have any news on the progress of the Coyote Flaco move to the former Claverack Food Mart building and their issues with NYS DOT and CCDOH. Rob Fitzsimmons answered that the NYS DOT are reviewing the site plan maps at this time and the septic system is more involved than originally planned and is a very expensive project.

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

Respectfully submitted,

Jodi Keyser, Secretary