

TOWN OF CLAVERACK
PLANNING BOARD
Minutes of: December 3, 2018

Chairman Scott Cole called the December 3, 2018 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, Robert Vecchi, Jock Winch, engineer; George Schmitt, attorney; Rob Fitzsimmons and secretary; Jodi Keyser.

Board members reviewed the minutes of the November 5, 2018 meeting.

Motion to approve the minutes of the November 5, 2018 meeting as written was made by Virginia Ambrose with a second from Robert Vecchi. All members were in favor. Motion carried. Minutes approved.

CONTINUING APPLICATIONS FOR 12/3/18:

Browne, Margaret/Morse, Kelly Site Plan Review: Tax Map #(SBL) 142 . – 1 – 20 . 1 Located at 674 Snyderstown Rd. Craryville. Site Plan Review for the construction of a 12-foot by 32-foot manufactured home for use as a farm worker residence.

Margaret Browne was present for the application. Mrs. Browne informed the Board that she owns a 45-acre registered farm which is her primary business and she has applied for farm worker housing. Mrs. Browne continued that she is seeking approval to construct a 12-foot by 32-foot micro-manufactured home for her stepdaughter who is the fulltime farm worker. Gretchen Stearns asked if the well and septic have been approved and tested. Mrs. Browne stated that if the well and septic need further review she will handle this with the TOC CEO Jay Trapp.

Chairman Cole opened the meeting to public hearing at 7:04 p.m. No comments were heard. Chairman Cole closed the public hearing at 7:05 p.m.

George Schmitt reviewed the SEQRA for the Board members.

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

Motion to approve the Site Plan for a 12-foot by 32-foot micro-manufactured home for use as farm worker housing was made by Virginia Ambrose with a second from Gretchen Stearns. All members were in favor. Motion carried.

Site Plan was stamped and signed. Mrs. Browne paid mailing fee of \$5.00.

NEW APPLICATIONS FOR 12/3/18:

T-Mobile Northeast LLC Special Exception Review: Tax Map #(SBL) 143 – 1 – 42 Located at Forest Lake/Village of Philmont 95 Palmer Rd. NYS Rte. 23 between Palmer Rd & Cty. Rte. 11. Special Exception Permit Review for modification of an existing base tower with the collocation of a new antenna with ancillary equipment.

David Kenny was present for the application. Robert Vecchi asked before the application was presented that he was confused about who owns the property where the tower is located because it says Village of Philmont and also Phil Gellert. Mr. Kenny informed the Board that the Village of Philmont owns the property and the tower is owned by a separate party. Mr. Kenny continued that this telecommunication tower was approved by the Town of Claverack Planning Board in 2010 and is currently called the Insite Tower. Mr. Kenny informed the Board that this application is not for a new tower but to collocate 8 telecommunications antenna which is eligible for approval within a 60-day timeframe because it is substantially less impact. Gretchen Stearns stated that this is less of an impact and is less substantial unless there are any modifications to the ground systems or the tower itself. Mr. Kenny stated that the new antenna will be at 166 feet and the existing antenna are at 180 feet. Rob Fitzsimmons asked if there are

currently more than one carrier on the tower. Mr. Kenny answered yes that there is a ham radio antenna, 911 emergency antenna and another carrier and that the antenna are well below the emissions threshold. Stephen King asked if this application is approved when will the new antenna be installed. Mr. Kenny answered that the new antenna will be installed as soon as permits are obtained from the TOC Building Department. Robert Vecchi asked if his cellular service will be better from the installation of the new antenna. Mr. Kenny stated yes if Mr. Vecchi is a T-Mobile customer. Mr. Kenny informed the Board that the telecommunications companies would rather collocate instead of building new towers. Mr. Kenny continued that collocation is less expensive and less intrusive. George Schmitt will review the plans for technical issues. Rob Fitzsimmons asked George Schmitt what he felt the amount of escrow should be set for. George Schmitt stated that he figures that his review will only take a few hours and \$500.00 in escrow would be sufficient and unused monies will be returned. Robert Vecchi asked if the generator is run using diesel fuel and if so is there a containment pit. Mr. Kenny stated that he is unsure but will have the information for the Board at the next meeting if not before. Robert Vecchi stated that he has a concern that the fuel tank is not in a containment pit to contain any fuel leak. Mr. Kenny stated that the FCC requires that all telecommunications towers have backup generators in case of power outages and the need to keep the tower functioning for emergency communications but understands the concern with the fuel tank. Mr. Kenny will supply the Board with the information on the generator and fuel tank. Robert Vecchi stated that he has no concerns with the generator only the fuel tank because of the possibility of a spill it needs to be in a concrete containment barrier. Board members had no further questions. Chairman Cole informed Mr. Kenny that the application will be set for public hearing at the January 7, 2019 meeting and to note that this is a change from the first Monday of the month due to New Year's holiday. Rob Fitzsimmons informed the Board that if this application was for a new telecommunication tower the notification would be for abutters within 2,600 feet but this is an application for a collocation of 8 new antenna, he interprets the TOC Zoning Laws to treat the application like a typical application and notice the abutters within 300 feet.

Planning Board member Jock Winch requested to be recused from the meeting to represent his application for the Board.

Claverack Properties LLC/Claverack Builders Site Plan Review: Tax Map #(SBL)101 . – 2 – 38
Locate at 41 Bender Blvd. Ghent, NY Site Plan Review for the addition of a 25` X 28` storage building for the storage of lumber.

Jock Winch was present for the application. Mr. Winch informed the Board that he is the owner of Claverack Properties LLC which owns the former Weiss property in the Commerce Park and leases the building to his business Claverack Builders. Mr. Winch continued that he is applying to construct an addition to the existing building for storage of building materials which are currently stored outside. Mr. Winch informed the Board that mostly lumber and cabinets would be stored in the new addition. Mr. Winch stated that the addition will have electricity but no heat or plumbing. Mr. Winch continued that there was a loading dock ramp that was filled in at the site of the proposed addition. Mr. Winch stated that this will not add to the number of employees or lighting and setbacks all meet the requirements. Gretchen Stearns asked if hazardous materials would also be stored in the addition. Mr. Winch answered no hazardous materials will be stored in the addition. Gretchen Stearns asked who is building the addition. Mr. Winch stated that he and his employees will be constructing the addition during slow time in the winter months. Robert Vecchi asked if the carport is unpaved. Mr. Winch answered that the carport is unpaved and there are parts of the property that are paved but most of the area is crushed stone materials. Mr. Winch stated that he would like to pave in the future but it is too expensive at this time. Mr. Winch informed the Board that he will install a concrete slab for the addition.

Chairman Cole informed the applicant that the application will be set for public hearing at the January 7, 2019 meeting and to obtain a hearing notice sign from the Town Clerk at least two weeks prior to the meeting.

NEW BUSINESS:

Town of Claverack resident Nikon Zasorin appeared before the Planning Board to ask for guidance with an issue that he has come upon in the Town. Mr. Zasorin is concerned that the Town of Claverack does not have a fire alarm law in the town. Mr. Zasorin continued that the Dutch Reformed Church of which he is a

member has recently had a new fire alarm system installed to protect the historical building. Mr. Zazorin stated that he is a licensed electrician and had worked for several years in Westchester County and in New York City. Mr. Zazorin stated that he asked to view the newly installed fire alarm system at the church and was surprised to learn that the Town does not inspect, test or approve the installation of fire alarm systems in public buildings. Mr. Zazorin asked the Planning Board members if they were aware that the TOC does not have a law for fire alarm systems in the Town. Mr. Zazorin stated that he understands that this is an issue for the Town Board but he would like to start a ground swell to get the Town Board to at least consider this important issue. Gretchen Stearns stated that fire alarm systems are covered under the NYS Building Code laws. Nick Zazorin stated that he met with TOC CEO Jay Trapp to find out if the TOC had any law regarding fire alarms and there are none. Mr. Zazorin continued that this important issue should not be left to the Town Building Inspector because he does not have the proper training to inspect and test fire alarm systems. Mr. Zazorin continued that the Town needs to adopt laws that do not allow for new residential buildings to be above 3 stories high and only 2 ½ stories high for multi-residential buildings. Mr. Zazorin stated that no retrofitting of existing buildings would be required only new builds. Mr. Zazorin continued that places of public gathering are the main concern. Mr. Zazorin stated that even public gathering buildings that have fire alarm systems haven't been inspected in over 20 years like the local gun club. Gretchen Stearns stated that she knew that the former TOC CEO Stan Koloski did inspections. Nick Zazorin informed the Board that Jay Trapp told him he was told not to inspect fire systems because it was too costly and the National Fire Protection Laws need to be referenced. Mr. Zazorin informed the Board that the Dutch Reformed Church signed off on a newly installed fire alarm system that is in his opinion is not installed to code and was never inspected or tested. Stephen King asked if fire alarm systems are the alarms that detect smoke and heat not sprinkler systems. Robert Vecchi informed the Board that he is a licensed electrician and has worked for several years in New York City and installed very large fire alarm systems. Mr. Vecchi continued that the New York State Residential building code defines the installation of fire alarm systems. Mr. Zazorin stated that the problem is that the TOC does not have a certified inspector to inspect fire alarm systems and these inspectors are few and far between hard to find. Jock Winch asked if there are any towns in the County that have fire alarm laws. Rob Fitzsimmons answered yes, he knows that the Town of Livingston has a law for fire alarm systems. Mr. Zazorin stated that even if there is a law in the books the TOC does not have a qualified person to inspect these systems and the systems are constantly changing. Planning Board members agreed that this is an important issue and public safety is a big concern in public gathering buildings. Mr. Zazorin thanked the Planning Board members and will now go to the Town Board with his concerns.

Other new business: Rob Fitzsimmons informed the Board that the new PDD law was passed. MaryAnn Lee addressed the concerns of Planning Board member Stephen King regarding the several trees along NYS Rte. 23-B that were recently taken down. Mrs. Lee informed the Board that she was able to reach a representative from National Grid that acknowledged they had a company remove the trees because they were Ash trees that were diseased and dead. Mrs. Lee continued that National Grid and NYS DOT are responsible for public safety and the trees were removed to protect the public. Stephen King stated that National Grid should remove the unsightly stumps that were left behind. Mrs. Lee stated that they will not remove the stumps and that they will allow \$50.00 toward planting new trees.

Chairman Cole wished the Planning Board members and audience a Merry Christmas and a Happy New Year and reminded everyone that the January meeting will be held on January 7, 2019.

Motion to adjourn the December 3, 2018 meeting was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried. Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Jodi Keyser, Secretary

