

APPROVED 5/6/19

TOWN OF CLAVERACK
PLANNING BOARD
Minutes of: April 1, 2019

Chairman Scott Cole called the April 1, 2019 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Members in attendance were: Chairman Cole, Robert Vecchi, Virginia Ambrose, Alberta Cox, Jock Winch, William Michael, George Schmitt; engineer, Robert Fitzsimmons; attorney and Jodi Keyser; secretary.

Absent with regrets: Stephen King

Board members reviewed the minutes of the March 4, 2019 meeting.

Motion to approve the March 4, 2019 minutes was made by Robert Vecchi with a second from Virginia Ambrose. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 4/1/19:

Kiplinger/Flammia Special Exception: Tax Map #(SBL)131 . – 1 – 82 Located at 2441 County Rte. 27. Special Exception for the installation of a ground mounted solar array.

Leah Springstead was present for the application. Ms. Springstead reviewed the application for the Board members. Ms. Springstead stated that her clients are seeking approval to install a ground mounted solar array on County Rte. 27. Ms. Springstead stated that the array will consist of 32 -360 watt panels and is well within the required setbacks and will have sufficient screening from existing vegetation and also several forsythia bushes that will be planted. Rob Fitzsimmons noted that the application was submitted to the County Planning Department for review but since it has been over the 30 days and no comments were received it is ok to proceed. Chairman Scott Cole opened the meeting to public hearing at 7:05 p.m. No comments were heard. Chairman Cole closed the public hearing at 7:07 p.m. Chairman Cole asked George Schmitt if he had any questions of concerns. George Schmitt had no questions or concerns. Chairman Cole asked Board members for questions. None received. Rob Fitzsimmons reviewed the SEQRA for the Board members.

Motion to grant a negative declaration for purposes of SEQRA was made by Virginia Ambrose with a second from Alberta Cox. All members were in favor. Motion carried.

Motion to approve the Special Exception for the installation of a ground mounted solar array was made by William Michael with a second from Robert Vecchi. All members were in favor. Motion carried. No plans were stamped but Ms. Springstead was informed by secretary Jodi Keyser that she will mail an approval letter this week and will copy the Town of Claverack Building Department. Ms. Springstead paid mailing fees of \$6.05.

NEW APPLICATIONS FOR 4/1/19:

Town of Claverack engineer, George Schmitt recused himself from the meeting to represent the Harpis application.

Town of Claverack has asked Brandee Nelson of Tighe & Bond to step in as acting engineer to review the project for the Town.

Paul Harpis Special Exception: Tax Map #(SBL)101 . – 2 – 50 Located on Salerno Drive in the Columbia County Commerce Park. Special Exception for the construction of a 100-foot by 150-foot steel building for manufacturing.

Paul Harpis and George Schmitt were present for the application. Mr. Schmitt is the engineer for the application and explained the plan for the Board members. Mr. Schmitt supplied the Board with

new Site Plan information that has changed. Mr. Schmitt told the Board members that Mr. Harpis had decided to change the size of the building from 100-feet by 150-feet to the new dimensions of 100-feet by 100-feet with a 60-foot by 30-foot attached office. Mr. Schmitt continued that this change was to keep the project under the 1-acre area of disturbance to keep from having to submit a SWIPPS. Mr. Schmitt informed the Board that this building is located in the Columbia County Commerce Park on Salerno Drive. Mr. Schmitt submitted the driveway permit from the CC DOT. Mr. Schmitt informed the Board that the building will have three, downward facing, dark sky compliant lights attached to the building. Mr. Schmitt stated that the building will not have pole lights only the lights attached to the building. Chairman Cole asked if the building would have signs. Mr. Harpis answered yes there will be a sign on the building with a light. Mr. Schmitt will submit a signage plan. Virginia Ambrose asked if this is a metal building. Mr. Harpis answered yes. Chairman Scott Cole asked about parking spaces. Mr. Schmitt stated that all parking will be in the front of the building. Brandee Nelson asked if the plan allows for a handicapped parking space as required. Mr. Schmitt stated that he will add a handicapped space in place of one of the spaces shown. William Michael asked where the work trucks will be parked. Mr. Harpis stated that the building will be used to manufacture roofing materials for his roof business and trucks will only be used to transport from the site. Brandee Nelson asked if the building has a plan for a sprinkler system. Mr. Harpis stated that Town of Claverack Building Inspector Jay Trapp stated to him that the building does not need to have a sprinkler system. William Michael asked how many employees will work at the building. Mr. Harpis stated that three employees will be at the building. Rob Fitzsimmons reviewed the letter from Jay Trapp of the Town of Claverack Building Department most of which have been addressed with the elevation of the building shown, driveway permit submitted, work vehicles still pending, lighting plan will be addressed further and grading. Mr. Schmitt will submit further information on the lighting that will be used and also submit a signage plan. Rob Fitzsimmons asked George Schmitt if the grade and parking are too steep. Mr. Schmitt stated that the driveway with the grading is approved by the County DOT and signage will be detailed for the May meeting. Brandee Nelson asked if the County DOT required a culvert. Mr. Schmitt stated that there might be a need for a culvert behind the right of way sign but it will be revisited as the project progresses. Brandee Nelson asked about the location of the three building lights. Mr. Schmitt stated that there will be one under the overhang above the front door, one on the back and one on the side of the building that are fully cut off lights mounted at 18-feet. Brandee Nelson asked for the light locations to be shown on the Site Plan and for the lighting details to be submitted. Brandee Nelson stated that the elevations are not shown at the rear of the building. Punch list: signage design, lighting details, rear elevations, handicapped parking, Mr. Schmitt stated that one of the three parking spaces in the front of the building will be made a handicapped space. Chairman Cole asked if the Board members have any questions. William Michael asked if the handicapped parking size will change the front parking. Mr. Schmitt stated that adding the handicapped space with the extra space will now change the parking to one regular parking space and one handicapped space. Mr. Schmitt stated that there will also be four parking spaces in the rear of the building so there is plenty of parking. Brandee Nelson suggested that Mr. Schmitt leave a little area between the edge of the building and the pavement to allow for snow removal and for safety. Mr. Schmitt stated that he is very tight with the size to stay under the 1-acre disturbance threshold but he will try. Jock Winch stated that he is fine as long as the punch list items are buttoned up. Brandee Nelson asked if the utilities are studded on the site. Mr. Schmitt stated that the utilities currently exist on the site. Brandee Nelson stated that the landscaping plan shows random plantings or a mulched bed. Mr. Schmitt stated that the plantings are to soften the look of the building. Brandee Nelson stated that the site is partially wooded. Mr. Schmitt stated yes the site has a wooded area and wetlands to the rear of the property that will not be

disturbed at all. Mr. Schmitt stated that this site was originally three parcels now it is all one. Brandee Nelson asked if the remainder of the property will be grass area. Mr. Schmitt answered yes. Rob Fitzsimmons read the letter from Tighe & Bond asking for a retainer of \$4,000.00 for the review. Brandee Nelson stated that the project does not appear to require a complex review so that amount is high. Rob Fitzsimmons asked Ms. Nelson to review the plan and generate a letter to George Schmitt letting him know of any issues. Rob Fitzsimmons stated that there is no need for a full stormwater plan. Rob Fitzsimmons informed the applicant that the plan will need to be reviewed by the County Planning Department. Brandee Nelson stated that she didn't see any significant issues at this time but will review.

Motion to accept the application as complete, send to the Columbia County Planning Department for review was made by Virginia Ambrose with a second from Jock Winch. All members were in favor. Motion carried.

Mr. Schmitt stated that he will coordinate with Ms. Nelson and will generate a response to Jay Trapp's letter from the TOC Building Department.

Motion to set the application for public hearing at the May 6, 2019 meeting was made by Robert Vecchi with a second from Alberta Cox. All members were in favor. Motion carried.

NEW BUSINESS:

William Michael and Jock Winch are members of the committee to create/overhaul the Town of Claverack's events and venue law. William Michael informed the Board that the committee consisted of himself, Jock Winch from the Planning Board, Dave Graziano and Roger Case from the Zoning Board of Appeals, Jay Trapp of the Building Department, MaryAnn Lee and Steve Hook from the Town Board and community member Mike Johnston. Mr. Michael explained that the committee looked at the types of events that are popping up in barns, houses, etc. for weddings and parties that people in the Town have they say are to help pay for taxes or other things but have not received the proper approvals. Rob Fitzsimmons sent the committee the law he worked on for the Town of Livingston to use as a template. Rob Fitzsimmons stated that the events that the Town is seeking to address with the new law are events that are of a smaller scale up to a few hundred people not the large events which are currently governed by the Town Zoning Laws and are reviewed and fees are paid. Jock Winch stated that the new law is to address the wedding/party businesses that have been popping up every weekend in the town and to fine tune the large event guidelines. William Michael informed the Board that the new venue/event law will be coming up for public hearing soon and so the committee wanted to find out if the Planning Board members have, any questions. Stephen King, who was not present at the meeting but sent a question via email: *If an applicant applies for an 'Event Permit', good for one year, good for 12-27 events, and will require, 1 parking space per 4 people, it would seem we need language that asks the applicant to provide a, minimum – maximum estimate of people attending events for that year. Otherwise, how will the PB be able to assess that the parking provisions in the law are met?* Rob Fitzsimmons stated that if the venue is a wedding barn they are approved for the number of events and the number of people that they have been permitted for. William Michael stated that there is a possible 1 time per year inspection of each venue. Rob Fitzsimmons stated that complaints from neighbors will constitute the need for an inspection also. Alberta Cox stated that at the time of the application the applicant should be asked the number of people. Rob Fitzsimmons stated yes the number of people should be known for parking reasons and in Livingston people are now bussing people into the venues. Chairman Cole asked if there will be a spokesperson from the TOC going to events to police them. Jock Winch and William Michael stated that this will be up to the TOC Building Department. Jock Winch stated that if the event gets out of hand then the police will be called. Virginia Ambrose asked what happens to existing commercial operations that hold

events. Rob Fitzsimmons stated that events that are accessory to the main commercial operation need to be reviewed and the wording of grandfathered has been changed to un-permitted. MaryAnn Lee stated that the new law does not mean to hurt places like Local 111 or the Vanderbilt that might already hold events but to specify the wording. Virginia Ambrose stated that establishments such as Local 11 and the Vanderbilt are different because they have licenses and proper bathroom facilities and are already ok so this needs to be clarified. Chairman Cole also read a letter of question from Gretchen Stearns as follows: *In section 15.5.35 section C , which I read to say that previously established accessory uses would not be affected by the law, I wondered what will be done about all the currently established, illegal, event venues, many of which are advertised on line. I would think that the TOC would want to apply the same standards to them vis a vis fire safety as well as septic, noise and parking issues. And to have them pay their fair share to the TOC in the form of permit fees.*

Somewhere along the line formal provision should be made for neighbors to bring any complaints to the PB. Perhaps that could be done as part of the yearly permit renewal process.

I would like to see a statement that, in spite of this law prohibiting events in a PDD, if a developer came up with a plan for a large arts or entertainment venue (similar to Tanglewood or Legoland) that needed to use a PDD, this law would not impede such a development.

Rob Fitzsimmons informed the Board that the Town of Claverack received a letter from the Columbia County Planning Department stating that the Town of Claverack Bed & Breakfast law has a limit of 4 bedrooms but the NYS Code has a limit of 5 bedrooms and the Town of Claverack cannot be more restrictive than NYS so the Town needs to make this change to the Zoning Laws. Rob Fitzsimmons also stated that signage for the Bed & Breakfast does not need a special signage and the wording needs to indicate 2 people per room.

Planning Board members felt good about the new law and asked that the committee address the questions from Stephen King and Gretchen Stearns. Board members thanked the committee members for their work.

Motion to adjourn the meeting was made by Virginia Ambrose with a second from Robert Vecchi. All members were in favor. Motion carried. Meeting adjourned at 7:55 p.m.

**Respectfully submitted,
Jodi Keyser, Secretary**

Adjourn Meeting