

APPROVED 9/4/19

**TOWN OF CLAVERACK
PLANNING BOARD
P.O. Box V
Mellenville, NY 12544
Minutes: August 5, 2019**

Chairman Scott Cole called the August 5, 2019 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

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

Board members reviewed the minutes of the July 1, 2019 meeting.

Motion to approve the Minutes of July 1, 2019 was made by Stephen King with a second from Alberta Cox. All members were in favor. Motion carried.

Correspondence: None

BUSINESS: Chairman Scott Cole informed the Board that the September meeting is as always scheduled for Labor Day and asked Board members if they have a preference for day to reschedule. Board members agreed to reschedule the September Planning Board meeting for September 4, 2019.

CONTINUING APPLICATIONS FOR 8/5/19:

Katsivelos Subdivision: Tax Map #(SBL) 111 . – 1 – 82 Located at 340 & 360 NYS Rte. 9H Subdivision of 12.9 acres into two parcels of 10.9 and 2 acres respectively.

Dan Russell and Mrs. Katsivelos were present for the application. Mr. Russell reviewed the application for the Board. Mr. Russell stated that his client is seeking to subdivide a 12.9 acre parcel which contains two separate residences each with their own wells and septic systems. Mr. Russell continued that his client is asking to subdivide the smaller residence on a 2 acre parcel and the other larger residence will be situated on the remaining 10.9 acre parcel. Mr. Russell informed the Board that the property is in the 5-acre zoning area and they applied and received an area variance from the Town of Claverack Zoning Board of Appeals on June 26, 2019. Mr. Russell explained to the Board that Mrs. Katsivelos plans to sell the properties because it is just too difficult to maintain. Chairman Cole opened the meeting to public hearing at 7:05 pm. No public comment was heard. Chairman Cole closed the public hearing at 7:06 pm. George Schmitt 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 Robert Vecchi. All members were in favor. Motion carried.

Motion to approve the minor subdivision of 12.9 acres into two parcels of 2 acres and 10.9 acres respectively was made by Stephen King with a second from Alberta Cox. All members were in favor. Motion carried. Maps were stamped and signed.

Mrs. Katsivelos paid final fees of \$300.00.

NEW APPLICATIONS FOR 8/5/19:

Erick Bell Special Exception: Tax Map #(SBL) 122 . – 1 – 39 . 120 Located at 14 Roxbury Rd. Special Exception for a microbrewery/farm distillery at the location.

Erick Bell was present for the application. Mr. Bell informed the Board that he is seeking a Special Exception Use Permit to open a second farm microbrewery to be located at 14 Roxbury Rd. Mr. Bell informed the Board that he will still operate out of the his original site on Theilman Rd. but needs more space to brew his beer. Mr. Bell informed the Board that the property at 14 Roxbury Rd. has an existing 40-foot by 50-foot barn that will be slightly modified. Mr. Bell continued that he will install upgraded tanks, office space and storage. Mr. Bell informed the Board that he plans to purchase the property. Rob Fitzsimmons asked Mr. Bell if he will close the Theilman Rd. space. Mr. Bell answered no he will continue to operate that site for tastings and will have the brewing at the new site because it has more room. Rob Fitzsimmons informed the applicant and the Board members that this site will be less of an impact not like another distillery that has converted an old barn into a cooperage using a two story building with the distillery and the tasting room on different floors creates a difficult situation for the building department. Virginia Ambrose asked how will the barn be changed. Mr. Bell stated that he will change some of the windows and doors but the barn will remain the same. Mr. Bell continued that the roof was replaced about 10 years ago. Mr. Bell stated that the property needs to be cleared and cleaned up a little. Stephen King asked if the brewing process creates a lot of noise. Mr. Bell stated that there is some noise but it is minimal with only a fork lift outside and a couple of trucks a week picking up beer to take to the different places that offer it. Virginia Ambrose asked what happens to the raw material from the process. Mr. Bell stated that Common Hands farm comes to the current site to pick up the leftover raw materials to feed their pigs. Jock Winch asked if the property is within the Agricultural district so it could receive an expedited review. Stephen King asked if there are plans to move the tasting room to the new site it would require a new Special Exception/Site Plan. Rob Fitzsimmons stated that the application is only for manufacturing of the beer at 14 Roxbury Rd. with the sale and tasting room remaining at the Theilman Rd. site. Chairman Cole asked how the liquor license works. Mr. Bell informed the Board that his license allows for up to 5 sites for brewing, tasting and selling within the state. Mr. Bell stated that he could set up a site at up to 5 different locations if he wanted to.

Board members deemed the application complete and set up public hearing for Wednesday, September 4, 2019.

OTHER BUSINESS:

Planning Board member William Michael updated the Board on the Town of Claverack's creation of a new local law designed to regulate large scale solar fields. Rob Fitzsimmons informed the Board that there have been several solar companies sniffing around the Town looking for space to install a large-scale solar farm. William Michael continued that the committee that is reviewing the laws have reached out to several other local communities that have such laws already in place for advice. Mr. Michael continued that they received from the towns of Livingston and Greenport. Mr. Michael explained that both of these towns found out after their laws were adopted that they had made mistakes and omitted some important restrictions such as a maintenance agreement and removal bonds. Mr. Michael informed the Board that the Town of Claverack is proposing that these applications receive a Site Plan and Special Exception reviews and have a minimum of 10 acres with the restriction that only 50% of the entire property can be used for the solar field. Mr. Michael explained that if someone had a 100 acre parcel only 50 acres could be used for the solar field. Mr. Michael continued that these sites must also follow all of the NYS guidelines for solar fields. Mr. Michael continued that a decommission plan will be required to

protect the Town of Claverack if things don't work out and bonding for clean up of the site also so that this cost is not thrown onto the Town or the taxpayers if the project is abandoned. Mr. Michael also informed the Board that they committee is looking at tax breaks or PILOT plans that would also be included in the local law. Mr. Michael continued that some towns have enacted a host benefit community program that is negotiated between the Town and the developer. Town Board Councilperson MaryAnn Lee informed the Board that she has researched these types of agreements such as Legoland in PA gives a percentage of ticket sales back to the community and there are several other types of benefits that could be negotiated. Rob Fitzsimmons informed the Board that the City of Hudson and the Stewart's Corporation had such an agreement with the new Stewart's shop that is being redesigned at the intersection of Fairview and Green St in Hudson. Rob Fitzsimmons continued that Stewart's agreed to give the City of Hudson money that is to be used to improve sidewalks, lighting, traffic signals etc. but it is earmarked for certain things to help the City make upgrades. William Michael informed the Board that some of the research he found that some projects have both PILOT programs and Host benefits programs. George Schmitt informed the Board that it is important that the Board review the solar fields for the safety of the local fire fighters also. George Schmitt informed the Board that even if the field has the power cut off there is still a large amount of power stored in the system that creates a very dangerous situation. George Schmitt stated that maintenance agreements are also very important because if the Town doesn't make sure the field is maintained then it will be like the field behind the Hudson High school that doesn't have a maintenance agreement and the weeds are growing as high as the solar panels. George Schmitt continued that this was realized after the developer had signed the agreement with the School District and it was too late. William Michael informed the Board that the committee is thinking of every possible issue or requirement that they can think of and learning from the mistakes and omissions from the towns that have these laws already in place.

In other business Chairman Scott Cole informed the Board that he received a phone call from TOC Building Department CEO Jay Trapp that there is an outstanding bill for services from 3 recent applications in the amount of \$270.00

Motion to adjourn the meeting was made by Stephen King 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