

Approved 11/4/19

PLANNING BOARD

Meeting Minutes

October 7, 2019

Chairman Scott Cole called the October 7, 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, Robert Vecchi, Stephen King, Jock Winch, George Schmitt; engineer, Rob Fitzsimmons; attorney and Jodi Keyser; secretary.

Absent with regrets: William Michael

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

Motion to approve the minutes of the September 4, 2019 meeting was made by Stephen King with a second from Jock Winch. All members were in favor. Motion carried.

Correspondence was received from the Claverack Free Library inviting the Planning Board members to the grand opening of the new library on 10/26/19 from 12:00 p.m. to 4:00 p.m. Stephen King informed the Board that the library is expecting over 200 people and the transformation from the former firehouse to the library is astonishing.

CONTINUING APPLICATIONS FOR 10/7/19:

Erik 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. Mr. Bell called this afternoon to let the Planning Board members know that the sale of the property fell through and he was withdrawing his application.

Board member Jock Winch asked to be recused from the Columbia Tent application. Mr. Winch was recused at 7:04 p.m.

Columbia Tent Rentals Site Plan/Special Exception: Tax Map #(SBL) 101 . – 2 – 2 . 11 Located on Bender Blvd. Columbia County Commerce Park. Site Plan/Special Exception for the construction of a 10,000 square foot warehouse with offices, showroom and an externally enclosed entry for the use of tent/party rental business.

Linda Chernewsky and Andrew Gallagher were present for the application. Mr. Gallagher informed the Board members that his office prepared a letter addressing the concerns of the Board members at the September meeting. Mr. Gallagher continued that the abutters list was submitted again and check for accuracy with the Town of Claverack Assessors office. Mr. Gallagher stated that an updated business profile was supplied detailing the party/event/tent rental and catering supply business with a CAD party design, showroom, with 10 to 14 employees during peak season from May to October from the hours of 8:00 a.m. to 4:00 p.m. Mr. Gallagher continued that the building will also have two offices, a large washroom with two commercial dishwashers, a mezzanine storage area, handicapped bathroom, warehouse and enclosed entryway. Linda Chernewsky informed the Board that Mr. Dusenbury owns the business which had received an approval of a site plan for a parcel in the Columbia County Commerce Park in 2007 for this same building but the owner at that time didn't start construction because of the failing economy at the time. Rob Fitzsimmons read a letter from Town of Claverack CEO Jay Trapp stating that only one business is allowed at the site. Rob Fitzsimmons asked Mrs. Chernewsky about the 500 square foot kitchen because the TOC CEO is asking if the large kitchen is going to be used for the preparation of food, will be used as a break room for employees or what is the use. Mrs. Chernewsky answered that the kitchen will only be used to clean the rented dishes and pans and that at no time will food be prepared at the site. Rob

Fitzsimmons informed Mrs. Chernewsky that the wastewater/sewer will need CCDOH approval which will need to be submitted for the building permit. Chairman Scott Cole asked Board members if they had any further questions. No further questions.

Chairman Cole opened the meeting to a public hearing at 7:11 p.m. No comments were heard.

Chairman Cole closed the public hearing at 7:12 p.m.

George Schmitt reviewed the SEQRA part II 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 Site Plan/Special Exception to Columbia Tent Rental for a tent/party rental business was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried.

Mrs. Chernewsky paid application fee of \$150.00 and \$3.85 for mailing for Mr. Dusenbury.

Chairman Cole and Rob Fitzsimmons discussed the need to stamp and sign at least 3 Site Plan maps.

Mrs. Chernewsky informed the Board that she only brought one complete set. Chairman Cole and Rob Fitzsimmons informed Mrs. Chernewsky that she will need to supply 3 complete site plan maps signed by a licensed engineer to be stamped and signed. Chairman Cole will meet with Mrs. Chernewsky the next day to stamp and sign the site plan maps.

Board member Jock Winch re-joined the Board at 7:20 p.m.

Sano, Ralph Special Exception: Tax Map #(SBL) 111 . – 1 – 78 . 111 Located at 297 Route 9-H. Special Exception for the addition of accessory apartments to an existing multi-family dwelling. Secretary Jodi Keyser informed the Board members that Mr. Sano has an application for an Interpretation before the Town of Claverack Zoning Board of Appeals and will have a public hearing on 10/223/19.

NEW APPLICATIONS FOR 9/4/19:

Gellert, Philip Subdivision: Tax Map #(SBL) 112 – 1 – 31 Located at 591 Rte. 217. Subdivision of 2 acres from 6.875 acres.

Mr. Gellert was present for his application. Mr. Gellert informed the Board that he owns a parcel across from the COARC building which is approximately 6.875 acres. Mr. Gellert informed the Board that he is seeking to subdivide the parcel into two separate properties of 4.875 and 2 acres respectively. Mr. Gellert continued that the 2-acre parcel has an existing small residence and the remaining parcel will be sold. Mr. Gellert informed the Board that the property was perk tested in June 2019 and he is waiting from the letter from the CCDOH. Mr. Gellert continued that he has contacted Joe Visconti from the CC DOT for the driveway cuts but Mr. Visconti hasn't visited the site. Mr. Gellert informed the Board that the neighbor might be interested in the 4.875 acres but he is not sure and he will retain the small house on the 2-acre parcel as a rental unit. Mr. Gellert informed the Board that the 4.875-acre parcel will not be subdivided again. Stephen King asked Mr. Gellert about the apparent encroachment shown on the maps. Mr. Gellert stated that the neighbors have been using a section of the property for a driveway and he doesn't have a problem with that and will not cause any hardship to the neighbors. Mr. Gellert stated that when he purchased the property in a foreclosure sale he thought that it was 10-acre as it was advertised but it was only 6.875-acres. Stephen King informed Mr. Gellert that the CC Real Property aerial view shows a different size sometimes than is listed. Chairman Cole asked where the property is exactly located because he isn't sure. Mr. Gellert stated that the property is just pass the COARC building on the opposite side of the road. Virginia Ambrose stated that the property is very steep. Mr. Gellert answered yes it is a steep grade but when you get up a little it flattens out and has a very nice view. Mr. Gellert will approach the neighbor regarding the encroachment of their driveway. George Schmitt asked Mr. Gellert if the driveway is so steep how will it get by the septic system. Mr. Gellert informed the Board that it is possible to drive up the property with a vehicle and the perk test area was flat. George Schmitt informed Mr. Gellert to have his surveyor show the driveway and grading so that the Board can be sure it will not interfere with the septic system. Mr. Gellert informed the

Board that he is confident that the driveway is not too steep and will be approved by the CC DOT. Rob Fitzsimmons informed Mr. Gellert that the map shows two courses of a purple dotted line which need to be clarified because each parcel needs at least 150-feet of frontage and the numbers add up to 309-feet which makes it work but the map is confusing and the Board needs to have it clear on the subdivision maps. Rob Fitzsimmons also informed Mr. Gellert that the driveway specifications require no more than a 3% grade at 30-feet from the highway. George Schmitt stated that the CC DOT will supersede that and they will want to have a negative grade off of the roadway. Motion to accept the application as complete and set for public hearing was made by Robert Vecchi with a second from Alberta Cox. All members were in favor. Motion carried. Mr. Gellert was informed to supply black and white maps with original raised seals for the next meeting because colored maps are not allowed. Rob Fitzsimmons informed Mr. Gellert that the letter from CC DOT will be a hold up but the Board will hold a public hearing at the November meeting and continue it until the CC DOT approval letter is received. Mr. Gellert was instructed to get any new information and or maps to Jodi Keyser or George Schmitt as soon as possible.

Barnes, Andrew Special Exception: Tax Map #(SBL) 142 . – 1 – 54 Located at 96 Sweeney Rd. Craryville. Special Exception for a ground mounted solar array.

Steven Kasselmann was present for the application. Mr. Kasselmann informed the Board that his clients are seeking to install a ground-mounted solar array at 96 Sweeney Rd. Stephen King asked George Schmitt if the application is required to indicate where the DC and AC cut offs are located. Mr. Kasselmann stated that he was told that a survey map was sufficient. Stephen King stated that the DC cutoff needs to be located on the outside of the residence and also at the solar array and the locations for these need to be shown on the site plan. Mr. Kasselmann stated that he does have an electrical plan which was not included in the packet. Mr. Kasselmann reviewed the electrical plan with George Schmitt during the meeting. George Schmitt informed Mr. Kasselmann that the electrical plan with locations of the cutoffs is required to be on the Site Plan. Mr. Kasselmann stated that there is a DC cutoff located on an interior wall of the residence and also one located at the array and basically the firefighters just need to pull the cutoff at either the residence or the array. Mr. Kasselmann clarified that the main AC cutoff is on the inside of the home and the DC disconnect is located on the outside of the house which is typically all that is needed. George Schmitt informed Mr. Kasselmann that the cutoff information needs to be located and shown on the site plan for the next meeting. Mr. Kasselmann asked if the Board could approve the site plan and he will add the cutoffs to the maps. Rob Fitzsimmons informed Mr. Kasselmann that the application is required to have a public hearing so they will need to come back in November. Mr. Barnes appealed to the Board that he has had Mr. Kasselmann working on this project since April and if the array is not up and running before December 21st he will lose his tax credits. Mr. Kasselmann asked the Board if they would consider expediting an approval for this project so Mr. Barnes doesn't lose his tax credits. Rob Fitzsimmons informed Mr. Kasselmann and Mr. Barnes that a public hearing is required and the DC disconnects need to be located and shown on the maps. Mr. Kasselmann stated that the disconnects are listed. George Schmitt stated that even if the disconnects were shown on the maps the Town of Claverack Planning Board legally has to hold a public hearing on the application. Mr. Kasselmann stated that he understood and will submit site specific maps. Chairman Cole informed Mr. Kasselmann to submit enough copies of the maps. Stephen King stated to show the locations of the disconnects on the maps. Mr. Kasselmann asked the Board if they can guarantee they will grant an approval of the Site Plan at the November meeting. Rob Fitzsimmons informed Mr. Kasselmann that no one can guarantee an approval and the Board has had negative public comments in past ground mounted solar array applications in the past because neighbors complain about having their views obstructed from these arrays. Mr. Barnes stated that he doesn't have any close neighbors that will see the solar arrays.

Motion to accept the application as complete and to set public hearing for November 4, 2019 was made by Robert Vecchi with a second from Stephen King. All members were in favor. Motion carried. Continued to November.

Wright, Samuel & Wittwer-Laird, Gail Boundary Line Adjustment: Tax Map # 123 . – 2 – 1 . 121 and Tax Map # 123 . – 3 – 1 . 122 Located at 2220 County Rte. 11. Boundary Line Adjustment.

Jeff Plass was present for the application. Secretary Jodi Keyser informed Mr. Plass and the Board members that she received a call from whom she thought was Sam Wright stating that the sale of the property had fallen through and he was withdrawing his application. Jodi Keyser stated that it was a little hard to hear because she was at work but she thought it was Mr. Wright. Mr. Plass was surprised and unaware. Board members reviewed the maps of the proposed Boundary Line Adjustment anyway and Mr. Plass will check on the status of the application.

BUSINESS:

Chairman Cole informed members of the Board that two training opportunities were sent out one in Millbrook sponsored by the Dutchess County Planning Federation and the other at Columbia Greene Community College sponsored by the Columbia County Planning Dept and Greene County Planning Dept.

Town Board member MaryAnn Lee informed the Board that there is a draft of the Large Solar law before the Town Board at this time. Rob Fitzsimmons informed the Board that the Town of Claverack started to hear from some companies interested in installing large scale solar fields so the Town felt the need to have some sort of law in place. Some of the items of the law are lot size, set backs and the need to be more harmonious with the aesthetics of the Town of Claverack. Rob Fitzsimmons informed the Board members that they will receive copies of the draft law to review and the Board is still tweaking some issues such as vegetation and screening.

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

Respectfully submitted,

Jodi Keyser, secretary