

**TOWN OF CLAVERACK
PLANNING BOARD
Meeting Minutes
January 6, 2020**

Chairman Scott Cole called the January 6, 2020 meeting of the Town of Claverack Planning Board meeting to order at 7:00 p.m.

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

Absent with regrets: William Michael

Chairman Scott Cole asked the Board members if they had any corrections or additions to the November minutes. No one had any changes to the minutes of 11/4/19.

Motion to approve the Planning Board minutes of November 4, 2019 was made by Alberta Cox with a second from Stephen King. All members were in favor. Motion carried. Minutes were approved.

Correspondence was received from NYS DOT regarding entrance plans for Valley Energy facility on NYS Rte. 9-H.

CONTINUING APPLICATIONS FOR 1/6/20:

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 the application. George Schmitt informed the Board and applicant that he had spoken to the applicant's surveyor Robert Ihlenburg earlier in the day. George Schmitt informed Mr. Gellert that he had asked at the previous meeting for the driveway grade and the easement to be shown on the maps but it isn't shown. George Schmitt informed Mr. Ihlenburg that the Board is concerned with the grading of the driveway because it might be too steep and would not be approved by NYS DOT. George Schmitt continued that the Board needs to have the contours for the driveway and not just wording that the grade will be 10%, needs to show how the driveway will work. George Schmitt continued that he believes that the NYS DOT will have a big problem with a 1200-foot driveway at a 10% grade allowing for runoff discharging onto a NYS roadway. George Schmitt stated that he has never found a 10% grade for a driveway approved by the NYS DOT. Chairman Scott Cole stated that he is concerned with the 1st bend in the driveway because it might be too tight for emergency vehicles. Rob Fitzsimmons informed the Board that the TOC Zoning Law used to require no more than a 3% grade for a driveway but it was unenforceable for the Building Department so it was removed from the law but should be the standard when looking at grading for driveways. George Schmitt stated that in his opinion he is not seeing enough grading information for the driveway and needs to see the meets and bounds for the easement. Chairman Cole informed Mr. Gellert that the public hearing will be continued to the February meeting and for Mr. Ihlenburg to contact George Schmitt to go over the requirements at least a few days prior to the meeting and not the day of would be helpful. Rob Fitzsimmons informed Mr. Gellert to email the meets and bounds for the easement to his attention. Chairman Cole informed Mr. Gellert that the Board will need new maps showing the easement and the progression of the driveway grading for the entire driveway.

Limz Group LLC/Laurence Earner Special Exception: Tax Map #(SBL) 101 . – 2 – 54 Located at NYS Rte. 66 & County Rte. 20. Special Exception for the construction of a 70-foot by 140 foot wholesale business including sales room.

Andy Didio from Taconic Engineering was present for the application. Mr. Didio informed the Board that the building being proposed is 70 ft. by 140 ft. pre-fabricated building that will be used for a wholesale sales building for large scale woodworking machinery. Mr. Didio submitted new maps showing ADA parking, loading dock on the west side of the building, drainage through the center of the property to discharge in the back of the property, lighting of the building to the north and west and the addition of plantings along NYS Rte. 66 for increased landscaping. Mr. Didio continued that the building elevations showing the doors two different loading docks at different levels, one below grade and one at the sales floor level. Stephen King asked if the heights of the lights is shown. Mr. Didio answered no but he estimates that the lights are approximately 12 feet high no more and will be fully shielded dark sky compliant to maintain spillage. Mr. Didio stated that there is a plan for a very small sign on the east side of the building because the business is run by appointment through an online site. Mr. Didio continued that this business is not a retail sales room. Jock Winch stated that the size and location of the sign should be shown on the maps. Mr. Didio will put the signage plan on the maps for the February meeting. Chairman Scott Cole opened the meeting to public hearing at 7:15 p.m. No comments were received. Chairman Scott Cole closed the public hearing at 7:16 p.m.

Rob Fitzsimmons reviews 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 Robert Vecchi. All members were in favor. Motion carried.

Motion to approve the Site Plan and grant Special Exception for the construction of a 140-foot by 70-foot pre-fabricated building for use as a wholesale large scale woodworking machinery business with the condition that the signage plan is added to the final plan with maps to be signed and stamped by the Town of Claverack Chairman when completed was made by Jock Winch with a second from Stephen King. All members were in favor. Motion carried. Maps will be stamped at a later date and Mr. Didio will be in contact with Planning Board Chairman Scott Cole to set up. Mr. Didio paid postage fees of \$5.50 for abutter mailing in cash.

NEW APPLICATIONS FOR 1/6/20:

Martin, Dana & Tracy Special Exception: Tax Map #(SBL) 131 . – 2 – 13 Located at 261 School House Rr. Special Exception for a ground mounted solar array.

Scott Stevens representing Kasselmann Solar was present for the application. Mr. Stevens informed the Board that his clients are seeking to install a ground mounted solar array consisting of 36 panels for 14.4 kw. The array will be 9-foot high at the rear and slope down to 2.3-feet in the front. Stephen King stated that unless there is another map the submission does not show a list of the electrical lines and shutoffs are missing also from the plan. Rob Fitzsimmons informed Mr. Stevens that a schematic map is required for ground mounted solar array applications. Mr. Stevens stated that he has usually submitted the Google photos with these details. George Schmitt stated that the Google photos along with the survey map is sufficient. Rob Fitzsimmons stated that the Town of Claverack Board wanted to be sure that the Planning Board had enough detailed information. George Schmitt stated that he finds that the disconnects and lines are adequate as shown on the supplied application materials.

Chairman Cole asked the Board members if they had any further questions. No questions from the Board members.

Motion to accept the application as complete and set for public hearing at the February meeting was made by Robert Vecchi with a second from Alberta Cox. All members were in favor. Motion approved.

Mr. Stevens was instructed to get a sign from the Town Clerk's office to notice the public hearing for display 10 days prior to the meeting.

Klocke Estate Holdings LLC (formerly Drumlin Field Ventures) Subdivision for farm distillery: Tax Map #(SBL) 131 . 00 – 01 – 45 . 112 (SBL)# 131 . 00 – 01 – 45 . 120 & (SBL) #131 . 00 – 01 – 45 . 200. Located at 2554 County Rte. 27. Subdivision and realignment of parcels to create one new parcel. Parcels will be subdivided into a distillery parcel, farm parcel, and two residential parcels.

Dan Russell and Brandee Nelson were present for the application as representatives of the property owner. Mr. Russell informed the Board that his client currently owns all three tax map parcels and are seeking to subdivide one of the tax map parcels. Mr. Russell continued that the two new parcels will be used as residential building lots for the two principle owners to construct homes. Mr. Russell continued that these lots are not considered flag lots because both have 150 feet of frontage with lot # 1 bisected by lots #2 & #3 with an agricultural easement. Rob Fitzsimmons informed the Board that this application is unlike the Gellert subdivision because it shows all meets and bounds on the map. Mr. Russell will have Andy Howard draw up the easement documentation. Chairman Cole asked if parcels #2 & #3 will have separate wells and septic systems. Mr. Russell answered yes. Chairman Cole asked if the new driveway will access the distillery also. Ms. Nelson answered yes because the farm machinery will need to access the distillery via the 10 foot driveway which is an agricultural access. Chairman Cole stated that he is concerned with emergency vehicle access. Ms. Nelson stated that she has submitted the building plans to TOC Building department's Jay Trapp and she will go over the plan with emergency personnel. Chairman Cole stated that Jay Trapp informed him that all of the emergency pull offs were removed from the maps. Mr. Russell informed the Board that the entire driveway will be 20 feet wide. Ms. Nelson informed the Board that at the time of the previously approved special exception the driveway was only 12 feet wide so the pull offs were required but the driveway has been widened so no need for pull offs. Chairman Cole asked what the size of the pond is. Ms. Nelson stated that the pond is approximately 100 feet by 100 feet about .25 acres. Chairman Cole asked if the applicant would consider installing a dry hydrant at the pond. Ms. Nelson stated that this is the intention. Rob Fitzsimmons stated that the subdivision meets the road frontage requirement. George Schmitt asked who will use and maintain the driveway. Mr. Russell stated that the easement and roadway agreement will be written as to who has driveway permissions and who will maintain the driveway and will be filed with the deeds when completed by Andy Howard. Virginia Ambrose asked why separate the parcels if it is all considered agricultural use. Mr. Russell answered because the two parcels will be residential building parcels. Virginia Ambrose stated that she isn't understanding the separation of the agricultural parcels. Mr. Russell and Ms. Nelson answered that their clients want to keep the commercial use and the agricultural use separate. Stephen King asked if the apple trees are scheduled to be planted this spring. Ms. Nelson answered that the plan is to begin planting this spring but this has been a difficult process to properly prepare the land due to the large amount of soil amendment that was needed. George Schmitt stated that he needs to review the subdivision plan. Rob Fitzsimmons stated that this is a unique design but it meets all of the requirements.

Motion to accept the application as complete and set public hearing for February 3, 2020 was made by Virginia Ambrose with a second from Alberta Cox. All members were in favor. Motion carried.

Klocke Estate Holdings LLC (formerly Drumlin Field Ventures) Special Exception Amendment for a Farm Distillery: Tax Map # 131 . 00 – 01 – 45 . 120 Located at 2554 Cty. Rte. 27. Amendment of a previously approved Special Exception for a farm distillery for the construction of a 5,000 square foot pole barn/agricultural workshop.

Brandee Nelson and Dan Russell were present for the application. Chairman Cole informed the representatives that the Town of Claverack did not have a stamped and signed Special Exception/Site Plan for the original application that was approved because the Board was waiting for CCDOH permits. Ms. Nelson informed the Board that her client is now amending the original plan and is no longer known as Drumlin Farm Ventures but is now Klocke Estate Holdings LLC. Ms. Nelson informed the Board that her client is seeking to construct a 5,000 square foot pole barn to be used for agricultural storage and a farm managers office. Ms. Nelson continued that when she approached the Town of Claverack Building Department to obtain a building permit she was informed that this would require an amendment to the approved special exception. Ms. Nelson stated that the property contains 3 tax map parcels and the special exception to construct a farm distillery was approved in May 2018. Ms. Nelson stated that her client needs the 5,000 square foot pole barn for the farm machinery and needs the storage so they would like to build as soon as possible. Ms. Nelson stated that the application is a Type II action for purposes of SEQRA and is appealing to the Planning Board members to consider waiving the Special Exception/Site Plan review for the agricultural use because her client wants to start construction of the pole barn as soon as possible to protect the machinery. Ms. Nelson continued that the barn meets all setbacks on all sides. Stephen King asked if the barn will have exterior lighting. Ms. Nelson answered that she does not yet have any architectural plans but might have some exterior lights above the overhead doors. Stephen King informed Ms. Nelson to be sure that any lights are night sky compliant and downward facing because of the proximity of the neighbors. Stephen King suggested that the lights might be best if on some time of motion detection or timer. Ms. Nelson stated that any lighting would be night sky compliant. Stephen King stated that the presentation that was approved in 2018 was very informative and on that fact he would be agreeable to waive the review.

Motion to waive the special exception/site plan review to amend the previously approved special exception to add a 5,000 square foot pole barn for the storage of agricultural machinery and a farm manager's office was made by Jock Winch with a second from Stephen King. All members were in favor. Motion carried.

OTHER BUSINESS:

Stephen King asked what the letter from the NYS DOT was concerning. Rob Fitzsimmons informed the Board that Valley Energy had opened their fuel pumps to the public and now after several years the NYS DOT has caught up to the fact that this operation needs new curb cuts.

Chairman Cole informed the Board members that the Planning Board will be receiving several new applications for large solar projects as per Jay Trapp. Chairman Cole informed the Board that he has asked Jay Trapp to attend the first few meetings for these projects at least until the Board members are familiar with the new law. Chairman Cole continued that he knows that there are applications for large solar projects on Humane Society Rd. and Rte. 66 and Stottville Rd. Chairman Cole asked the Town Board members in attendance if the Planning Board members could receive

copies of the new large solar law before reviewing the applications. Gretchen Stearns informed the Board members that these applications cannot be constructed within the Highway Commercial zone.

Chairman Cole informed the Board that going forward he will no longer ask for the Board members to review the minutes of the previous meeting since all member receive them in advance of the meeting to review. Chairman Cole continued that he will only ask for any corrections or additions and a motion.

Virginia Ambrose asked the Town Board members in attendance if there is any movement on rural internet service. Katy Cashen stated that she has worked on this issue for several years and it is very difficult since the Town has only one provider and that provider only wants to do what they get paid from the state for. Virginia Ambrose stated that the lack of rural internet service is hurting businesses in the Town and she knows first hand because it is a detriment to her farm. Katy Cashen stated that she will talk to Supervisor Weigelt to look into G-Tel because Mid-Hudson has no desire to go to the other side of the Taconic parkway.

Motion to adjourn the meeting was made by Robert Vecchi with a second from Stephen King. All members were in favor. Motion carried. Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Jodi Keyser, Secretary