

APPROVED 11/2/2020

TOWN OF CLAVERACK  
PLANNING BOARD  
Meeting Minutes  
October 5, 2020

Chairman Scott Cole called the October 5, 2020 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

Chairman Cole led the Board members and audience with the Pledge of Allegiance.

Members in attendance were: Chairman Cole, Alberta Cox, Stephen King, Lisa Bowe, William Michael, Tim Wyman, George Schmitt; engineer, Rob Fitzsimmons; attorney, Jodi Keyser; secretary, Katy Cashen; Zoom meeting provider and Stephen Hook; Covid sign in.  
Absent with regrets: Virginia Ambrose

Motion to approve the minutes of 9/14/2020 was made by Stephen King with a second from William Michael. All embers were in favor. Motion carried. Minutes approved.

**CONTINUING APPLICATIONS FOR 10/5/2020:**

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

No call no show.

**Claverack Land Co. LLC Pine Haven Assisted Living/Nursing home Site Plan Review/Special Exception:** Tax Map # 113 . – 1 – 20 . 3 Located at 341 Rte. 217. Special Exception and Site Plan Review for the construction of a new 150 bed nursing/assisted living facility.

Did not appear.

**Estate of Gregory Arnone Subdivision:** Tax Map # 133 . 00 – 2 – 41 Located at 319 Lockwood Rd. Subdivision of 22.40 acres into two parcels of 16.069 and 6.331 acres.

John Connor informed Jodi Keyser via email that his client is still waiting for the perk tests and CCDOH permitting for septic. Mr. Connor stated that he will inform of the status of the application prior to the November meeting.

**Marion Weiner Revocable Trust Special Exception:** Tax Map # 132 . – 1 – 52 . 200 Located at 325 Catskill View Rd. Special Exception review for the addition of an accessory apartment/caretaker cottage in the Rural Conservation Zone.

No show no call. Did not appear.

**THRK, LLC/Thomas Rowe Site Plan Review:** Tax Map #112 . 2 – 2 – 66 Located at 12-14 West Street. Site Plan Review to convert existing dwelling into multifamily (3) family dwelling with addition of wooden deck and driveway improvements within the HR Zone.

Samantha Cummings from Taconic Associates was present for the application. Ms. Cummings submitted an updated site plan. Chairman Cole reminded the Board that the application is set for public hearing on November 2, 2020. Ms. Cummings reviewed the new plans for the Board. Ms.

Cummings submitted an updated survey map showing parking and setbacks. Ms. Cummings added that a historical photo is submitted showing the previous parking. Ms. Cummings informed the Board that the cars will park one behind the other per family. William Michael asked how the two cars parked in front of the others get out. Ms. Cummings explained that the plan is to have the cars belonging to the same tenant park behind each other so they could move if the other one needed to leave. Ms. Cummings continued that the missing staircase has been added to the plan. Ms. Cummings informed the Board that the apartments are duplex style with a third apartment in the basement. Rob Fitzsimmons informed the Board that the home is hooked to Philmont Village water and sewer. Ms. Cummings answered that is correct. Lisa Bowe asked if there is any on street parking. Ms. Cummings answered no on street parking is proposed. Chairman Cole informed the Board that parking is limited on West Street because it is very narrow. Stephen King asked if the parking area will be paved or gravel. Ms. Cummings answered gravel. Stephen King if there is any lighting proposed on the building. Ms. Cummings wasn't sure. Chairman Cole informed Ms. Cummings that any lighting would need to be downward facing and night sky compliant. Ms. Cummings stated that there will be no further changes if the Board is fine with the application. Chairman Cole stated the Board will hear public hearing on November 2, 2020 for the application.

**Levine&Burstall Special Exception Review: Tax Map # 101 . – 2 . 7 Located at 824 Rte. 9-H. Special Exception Review of a multi-use commercial business within the CIP District.**

Mr. Freeman informed Jodi Keyser via email that he is working on several required items for the Board and will not be attending the meeting. Mr. Freeman stated that information will be submitted prior to the November meeting.

**Jersey Baking LLC Special Exception Review: Tax Map # 121 . 3 – 3 – 19 Located at 6 Park St. Special Exception for the creation of a restaurant at the former Claverack Food Market building.**

Mr. Ryan Loucks informed Jodi Keyser that this client is working on getting requested information together for submission prior to the November meeting.

**Columbia Tent Rental Special Exception Review: Tax Map #101 – 2 – 2- . 111 Located at Bender Blvd. Special Exception Review for the addition of a 3 bedroom accessory apartment in the CIP district.**

No show. No contact.

**NEW APPLICATIONS for 10/5/2020:**

**Joe Beats/Steve Bakunas Special Exception: Tax Map#(SBL) 132 . – 1 – 20 Located at 482 NYS Rte. 23. Special Exception for the construction of a utility building for storage, workshop, office, bathrooms, install fencing, shrubs, lighting and sign for an outdoor eating/picnic area.**

Stephen Backunas was present for his application. Mr. Backunas submitted pictures of the existing sign because they were not in the plan. Mr. Backunas informed the Board that the sign was existing and had a large “for sale” sign in it so he painted it with a beautiful landscape view. Mr. Backunas informed the Board that he purchased the property, formerly the Yorkshire Restaurant, approximately 4 years ago with an idea of running a restaurant and dinner theater venue. Mr. Backunas continued that the idea was not what he envisioned, time constraints, building was in bad shape and needed to be torn down, move back to California made him put the property on the

market. Mr. Backunas continued that with the Covid crisis he and his wife have recently moved back to Spencertown to their home and with that move he had a renewed vision for the property and took it off of the market. Mr. Backunas continued that the property has a wonderful view and a restaurant venue would be perfect for the spot but he doesn't have the time to put into a full scale restaurant. Mr. Backunas continued that while in Los Angeles he discovered that food trucks are a big thing. Mr. Backunas continued that he has studied the food truck businesses and realized that they offer great food, great variety of food, good prices and offer outside dining which is the ideal situation during this time with Covid. Mr. Backunas informed the Board that he has started to clean up the property, adding a fence, planting trees and filling in the old foundation. Mr. Backunas continued that he is seeking to add a building next to the existing patio to house bathrooms, office space and storage area. Mr. Backunas stated that the property is quite large and offers ample social distancing options. Mr. Backunas informed the Board that he thought about building a storage shed type of building to store the tables, umbrellas and chairs when not in use but he realized that he would rather need a bigger building to add an office. Mr. Backunas continued that it is important for him to have an office at the site to oversee the business. Mr. Backunas continued that he also wants to build a nice two-story building on the site because if the food truck idea doesn't work out it would allow for him to sell the property with more ease. Mr. Backunas informed the Board that he has spent over \$500,000.00 so far on the site without any return. Stephen King asked if the food trucks would be seasonal during good weather. Mr. Backunas answered yes. Lisa Bowe asked if there are bathrooms in the building then why the need for port-o-lets on the site. Mr. Backunas answered yes there are port-o-lets to allow for social distancing with the bathrooms. Chairman Cole stated that the size of the building is significantly larger than the original plan shows. Mr. Backunas answered yes and he reviewed a model of the proposed building for the Board. Lisa Bowe informed Mr. Backunas that an architectural drawing should be submitted for the Board. Mr. Backunas stated that he has that and will submit. Lisa Bowe asked if there are well and septic on site. Mr. Backunas answered yes there are two wells and an existing septic system. Lisa Bowe asked how many food trucks and number of port-o-lets is needed. Mr. Backunas answered that the number of food trucks will depend on the interest and the port-o-lets would be up to the Planning Board. Mr. Backunas continued that his vision is to also serve hard and soft ice cream from the building or from a food truck. Alberta Cox asked what the hours of operation would be. Mr. Backunas answered that the hours would be Thursdays through Sundays from 5:00 p.m. to 10:00 p.m. to start. Stephen King asked if this is strictly an outside dining venue do the same regulations apply. Rob Fitzsimmons answered yes the applicant needs to supply a parking design, lighting plan something similar to the recently approved Jackson's BBQ. Chairman Cole informed the applicant that he wants to see some hard specs on the building. Mr. Backunas stated that the building will be 24-feet by 48-feet with a dormer on the second floor where the office will be located and bathrooms will be on the ground level. Chairman Cole informed Mr. Backunas that a lighting plan should be submitted also and the lighting should be downward facing, night sky compliant. Stephen King suggested that the lights should be as low as possible because of the site on the hill top and low lights are more secure than lights on tall poles due to the shadows they cast. Rob Fitzsimmons informed the Board that food trucks are individually permitted and no need for a special grease trap and are a carry in carry out so waste is not an issue. Mr. Backunas stated that he will supply the food trucks with electricity and is thinking of a possible donut/coffee truck. Lisa Bowe asked if there would be alcohol on the property. Mr. Backunas stated that he is considering applying for his liquor license to sell local beers and wines. Stephen King asked about the bathrooms and port-o-lets. Mr. Backunas answered that there will be regular and handicapped accessible bathrooms. George Schmitt informed the applicant

that port-o-lets are only temporary and cannot have as a permanent bathroom for an approval but if the site were holding a special event then they could rent the port-o-lets for the additional use. George Schmitt continued that the port-o-lets are not for day to day operations of a restaurant and the CCDOH will not allow. Rob Fitzsimmons and George Schmitt advised the applicant to check with the CCDOH. Mr. Backunas asked if the site is considered a restaurant could he possibly put booths inside the building or a bar. Rob Fitzsimmons answered yes. Stephen King asked about the size of the sign. Mr. Backunas answered that there is part of the sign at 3-feet by 10-feet and the other part is 16-feet by 11.6-feet. Rob Fitzsimmons informed the applicant that the size of an allowed sign is 25-square feet total or 12-square feet on each side of a double sided sign. Chairman Cole informed Mr. Backunas of the punch list for the November meeting. Punch List: Detailed architectural drawings of the building, CCDOH permits for septic and water, number of people per day, parking details, lighting design and sign details. Rob Fitzsimmons informed the applicant to submit 11 copies to Jay Trapp to distribute to the Board members before the November 2<sup>nd</sup> meeting. Mr. Backunas was informed of the change of venue for the November 2<sup>nd</sup> meeting at the Claverack Library community room. Continued to November.

**NEW BUSINESS:**

Rob Fitzsimmons informed the Board that the recently approved solar projects were informed that they have three months with which to draw a building permit but with the constraints they will ask for an extension.

Motion to allow for the recently approved Catskill View Solar LLC, Claverack Creek Solar LLC and Borrego Solar LLC large scale solar projects will write a letter requesting extensions with the Planning Board approval allow for an extension of another three month period was made by Stephen King with a second from Alberta Cox. All members were in favor. Motion carried.

Motion to adjourn the meeting was made by William Michael with a second from Lisa Bowe. All members were in favor. Motion carried. Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Jodi Keyser, secretary