

Approved 3/1/21

**TOWN OF CLAVERACK
PLANNING BOARD
MINUTES
February 15, 2021**

Chairman Scott Cole called the February 15, 2021 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

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

Members in attendance were: Chairman Scott Cole, William Michael, Lisa Bowe, Stephen King, Tim Wyman, attorney; Rob Fitzsimmons, engineer; George Schmitt and secretary; Jodi Keyser
Absent with regrets: Virginia Ambrose and Alberta Cox

Correspondence: Letter from Philmont Fire Chief Paul Beaumont regarding Pine Haven Assisted Living Center.

Motion to approve the minutes of January 4, 2021 was made by William Michael with a second from Tim Wyman. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 2/1/2021:

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. Mr. Gellert supplied new maps with note stating that the septic will require a grading design prior to obtaining a building permit. George Schmitt informed Mr. Gellert that the Board cannot sign maps that are not officially signed by the surveyor because some of the maps supplied were not signed. Mr. Gellert was also informed that the County will not accept colored maps to file. Mr. Gellert will get in touch with Mr. Ihlenburg to sign the maps. All Board members were fine with the application. Chairman Cole opened the meeting to public hearing at 7:08 p.m. Town Board member Steven Hook asked if Mr. Gellert had paid all of the escrow that was billed for this application. William Michael stated that the Town just received another bill from CPL for the application and thought that it was \$50.00 but not sure. Mr. Gellert informed the Board that he had made out a check for escrow at an earlier meeting. William Michael stated yes but this was an additional bill that was received last week. Chairman Cole informed Mr. Gellert that he will retain the maps until said escrow has been cleared. Mr. Gellert was in agreement. Chairman Cole closed the public comment at 7:10 p.m.

George Schmitt reviewed the SEQRA for the Board.

Motion to grant a negative declaration for purposes of SEQRA was made by Tim Wyman with a second from William Michael. All members were in favor. Motion carried.

Motion to approve the minor two lot subdivision pending the payment of all escrow bills was made by William Michael with a second from Tim Wyman. All members were in favor. Motion carried.

Mr. Gellert will meet Chairman Cole to stamp and sign the official maps at a later date and will check to make sure that the escrow is complete. Mr. Gellert paid final fees of \$800.00 for the subdivision.

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.

Attorney John Connor was present for the application. Mr. Connor informed the Board that he represents the Estate of Arnone. Mr. Connor informed the Board that the property has had some twists and turns over the past several months with a couple of possible buyers that didn't pan out. Mr. Connor continued that his client has decided to go forward with the subdivision. Mr. Connor continued that they have been working toward a perk test as requested from the Planning Board and have hired Carl Metzack to perform the tests. Mr. Connor stated that the perk tests didn't perk so Mr. Metzack is in the process of engineering a raised, above ground septic system for the property. Mr. Connor then stated that they received the letter from Mr. Replansky who represents a neighboring property owner regarding an illegally installed culvert in a designated trout stream. Mr. Connor continued that he is now having Mr. Metzack design and install a proper culvert at the stream. Mr. Connor asked the Board to be continued until the April when they are able to complete the design for the septic system and complete the culvert installation. Mr. Connor stated that the weather needs to be better to get these things completed. Mr. Connor informed the Board that the executrix of the property was unaware of any of the issues that were happening on the property. Mr. Connor stated that he will be in contact with the Board secretary with updates on the project. Continued to April 2021.

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.

Corey Auerbach and Dave Schlosser were present via Zoom for the meeting due to the bad weather.

Mr. Auerbach informed the Board that they have addressed several of the points made by the Board members at the January meeting and he will have Dave Schlosser explain those points.

Mr. Schlosser informed the Board that as of the January meeting they have updated the Site Plan to addresses some of the points that the Board made. Mr. Schlosser informed the Board that they have added an emergency access roadway to the west side of the existing building, lowered the lighting to 12 feet, fenced in the stormwater retention area, and modified the propane tanks by moving them away from the patio area and have added ballasts around them. Mr. Schlosser continued that they are awaiting on the final NYS DOT letter and are continually working with the Village of Philmont. Mr. Schlosser informed the Board that they have added parking in the rear of the building for code requirements making 68 total spaces allowing for one parking space per employee per shift and visitor parking. Mr. Schlosser explained that this allows for 30 employees with 12 visitors and leaving 18 reserve spaces. Mr. Schlosser stated that no residents are allowed to drive so they don't need parking spaces. Mr. Schlosser continued that they are still trying to get approval for a second entrance to the east of the current entrance from NYS DOT but they did get approval to use that as a construction entrance. Mr. Schlosser continued that the plan also calls for a subdivision of the 47 acre property into parcels of a 6 acre parcel containing the current nursing home 15 acre parcel which will contain the proposed facility and the remaining 31 acres would remain vacant. Mr. Schlosser informed the Board that they have performed a vehicle tracking study to be sure that garbage and emergency vehicles have enough room to turn around and make a three point turn and was wide enough for emergency vehicles. George Schmitt asked if the existing water tower would be staying on the site. Mr. Schlosser explained that they planned to remove the water tower but upon flow testing was not enough water to supply the sprinklers so they are possibly reusing the tank if it is within good working order or they will need to install a new water tower. Mr. Schlosser asked the

Board if they knew if the county fire companies were still using the fire training tower. Chairman Cole stated that County Fire Coordinator George Keeler would be able to answer that question. Stephen King asked whom is responsible for the tower if it is left. Rob Fitzsimmons informed the Board that the new James Van Deusen Fire Training facility is open and operational in the Commerce park therefore the county will be working on a decommissioning and thanked the owners of the nursing home for allowing training at the site until the new facility was completed. Stephen King stated that he was concerned that the training tower might fall into disrepair and would be a safety issue. Rob Fitzsimmons stated that the owners are allowed to do what they want with the site and he will follow up with a letter to the County. George Schmitt stated that he had everything needed for his review. Mr. Auerbach explained the property has an easement agreement from 2017 which allows for cross access and they will continue working with NYS DOT for the work permit after the project is approved. Mr. Schlosser informed the Board that they have submitted water usage study and it is not in the hands of the Village of Philmont and they will continue to work on the flow issue for the sprinklers and in turn will also resolve the low flow issues for the existing nursing home. Mr. Schlosser informed the Board that the building is 42 feet high at some points with the majority of the building at 36 feet. Mr. Schlosser continued that they have submitted a newly designed landscaping plan with the existing curb cut and existing parking for the nursing home remaining the same. Mr. Schlosser informed the Board that they have maintained the parking in the front of the building as per code and added handicapped and visitor parking for easy access to the front entrance and are out of room due to grading. Mr. Schlosser stated that all employees will park in the rear of the building. Mr. Schlosser informed the Board that they have also update the lighting. Mr. Schlosser stated that they was additional screening added at the north side of the parking area and a few of the larger pine trees will need to be cut down but most will remain. Lisa Bowe asked if there was screening around the dumpsters. Mr. Schlosser stated yes and it is 11 feet down with trees blocking the view. Stephen Hook stated that the dumpsters are the same as currently used ones and they are hidden. All Board members were ok as of this point. Rob Fitzsimmons asked about escrow. Mr. Auerbach informed the Board that they have set up a \$4,000.00 escrow account with the Town of Claverack. Stephen King asked if the lighting is going to be warm lighting. Mr. Schlosser answered yes 1/2 candle with the lighting lowered to 15 feet. Stephen King answered that warm is easier to see when it is low.

Chairman Cole opened the meeting to public hearing at 7:45 p.m.

Joe Baker who lives on Martindale Rd. stated that this was the first time he has seen the site plan for the project and is happy to see a great design for a great addition to the county and he is glad that the lighting was addressed. Mr. Baker continued that in the summer months when he is outside he can hear a humming noise coming from the current home which might be the HVAC on the roof. Mr. Baker continued that this noise is distracting in the summer months when outside enjoying his property. Mr. Baker also had a concern with the plans for the remaining 31 acres of property and if there were plans to build an entrance across the 31 acres which would impact Martindale Rd. Mr. Schlosser informed Mr. Baker and the Board that he has spoken to the owners of the site and they have no plans to develop the 31 acres especially due to the rough topography it isn't feasible. Mr. Scholsser continued that there are talks of donating the 31 acres to a nature conservation. Mr. Schlosser informed Mr. Baker and the Board that once the new facility is built it will mitigate any noise from the existing facility because it will in essence block it. Mr. Scholsser continued that there are no plans to change anything with the existing facility at this time. No further comments.

Chairman Cole continued the public hearing for the March meeting.

Rob Fitzsimmons informed the Board that the application is in good shape and it is good for George Schmitt to get comments early so they can be addressed at the next meeting. Mr. Schlosser informed the Board that he will send the link for the project to the Town for the website and will maintain updates as needed.

New Business:

Quinnie's Café

George Schmitt brought maps to the meeting for the Board to review because in beginning stages of design the owners found that they need an ADA accessible bathroom and have proposed a 69 square foot addition for the bathroom. George Schmitt continued that the addition is in line with the existing building and holds the existing 6-foot setback. George Schmitt continued that the Building Inspector asked that the Board to review to determine if this is a significant change to hold another review. Rob Fitzsimmons informed the Board that this is a minor adjustment to the original approved plan so the Chairman is free to stamp and sign the modification with a motion.

Motion to approve the minor addition of a 69 square foot addition to be used for an ADA compliant bathroom at the previously approved Site Plan for Quinnie's Café was made by Lisa Bowe with a second from Stephan King. All members were in favor. Motion carried.

OTHER BUSINESS:

Rob Fitzsimmons informed the Board that he was in receipt of a letter from ReJean DeVaux for the Borrego Solar project on Stottville Rd. seeking an extension of the approval.

Motion to grant a 6-month extension to obtain a building permit for the Borrego Solar project was made by Tim Wyman with a second from Lisa Bowe. All members were in favor. Motion carried.

Motion to adjourn the meeting was made by Lisa Bowe with a second from Tim Wyman. All members were in favor. Motion carried. Meeting adjourned at 8:20 p.m.

Respectfully submitted.

Jodi Keyser, Secretary