

TOWN OF CLAVERACK  
PLANNING BOARD  
Meeting Minutes  
May 3, 2021

Chairman Scott Cole called the May 3, 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 Cole, Virginia Ambrose, Lisa Bowe, Alberta Cox, Stephen King, William Michael, Tim Wyman, engineer; George Schmitt, attorney; Rob Fitzsimmons and secretary; Jodi Keyser

Motion to approve the minutes of the April 4, 2021 meeting was made by Virginia Ambrose with a second from Lisa Bowe. All members were in favor. Motion carried. Minutes approved.

**CONTINUING APPLICATIONS FOR 5/3/2021:**

**Estate of Gregory Arnone Subdivision: Tax Map # 133 . 00 – 2 – 41 Located at 319 Lockwood Rd.**

Secretary Jodi Keyser informed the Board that the applicant's attorney informed her via email earlier in the day that his clients have a buyer interested in purchasing the entire parcel so they are asking that their application be withdrawn without prejudice as they may need to reapply if the sale doesn't go through.

**Kevin Cullen and SBA VII, LLC Lessee Special Exception Permit Renewal: Tax Map #(SBL) 143 – 1 – 8 . 1 Located at 1262 Route 23. Special Exception Renewal of a previously approved telecommunication tower.**

Rebecca Valk was present for the application. Ms. Valk informed the Board that her client is seeking a Special Exception Permit renewal for a telecommunication tower. Ms. Valk continued that this tower is a 180-foot monopole telecommunication tower with a singular wireless carrier CPS and an equipment shed. Ms. Valk continued that the site has had no changes since the original approval and a structural analysis found that the structure is in good condition with no sign of needed repairs. Ms. Valk informed the Board that the RF emissions report found within allowable limits. Chairman Cole asked the Board if they had any question. No Board questions.

Chairman Cole opened the meeting to public hearing at 7:12 p.m. No comments in person, via mail or zoom. Chairman Cole closed the public hearing at 7:13 p.m. George Schmitt informed the Board that he reviewed the site inspection report and found no problems and the Board is good to proceed.

George Schmitt reviewed the SEQRA for the Board.

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

Motion to accept the application as complete and grant approval of the Special Exception Permit Renewal for a monopole telecommunication tower was made by Tim Wyman with a second from Alberta Cox. All members were in favor. Motion carried.

**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.**

Steve Backunas was present for the application. Mr. Backunas submitted a new architectural drawing of the proposed building that he has planned for the food truck court that was previously approved. Mr. Backunas informed the Board that he realized after the approval that the building he planned would be too big and not needing a second floor so he has modified the design from a two-story into a one-story building which will house seating, bathrooms, a kitchen and at some time in the future a possible bar. Mr. Backunas informed the Board that the cost of lumber has also impacted the size of the building. Mr. Backunas informed the Board that Bill Baldwin recently inspected the septic system and installed a new baffle and riser and has submitted a letter from Mr. Baldwin to the Town of Claverack Building Department.

Motion to grant approval of modification to a previously approved Site Plan/Special Exception for food truck court and two-story building into a food truck court with a one-story building waws made by Virginia Ambrose with a second from Lisa Bowe. All members were in favor. Motion carried.

Chairman Cole informed Mr. Backunas that each food truck will be required to apply for a peddler's permit from the Town Clerk's office. Chairman Cole stated that he thinks that the permit might be for the entire year or one time only just unclear. Mr. Backunas informed the Board that he will check into the peddlers permit and will make sure that this is completed by the food truck owners or he will do it on their behalf.

**Tanzillo, Karen Site Plan Review: Tax Map #(SBL) 101 . 00 – 01 – 40 Located at 26 Mountain View Rd. Site Plan Review for a one (1) time replacement of an existing singlewide mobile home with a doublewide mobile home.**

Mr. Krapf, Mr. Cozza and Mrs. Tanzillo were present for the application.

**NEW APPLICATIONS for 5/3/2021:**

**Schwartz, Jonathan & Joseph, Kelly Special Exception: Tax Map #(SBL) 141 . – 2 – 2 . 200. Located at 347 Miller Rd. Special Exception for the installation of a ground mounted solar array.**

**Applicant's representative informed secretary Jodi Keyser via phone call that the applicants have decided that they do not want to move forward with the application and are requesting that the application withdrawn.**

**Link, Lisa Special Exception: Tax Map #(SBL) 101 . – 2 – 27 . 110 Located at 632 NYS Rte. 9-H. Special Exception for the addition of an in-law apartment finished basement or addition.**

John Campeta and Lisa Link were present for the application. Stephen King asked for clarification of the application with finishing the basement and adding an accessory apartment. Mrs. Link answered that she is planning to finish the basement with a bathroom, additional living area and a small kitchenette that will be used after her family installs an inground pool to alleviate pool traffic throughout the main house. Mrs. Link continued that the accessory apartment is attached to the garage with a separate entrance for her father to reside in. Stephen King asked if this makes three kitchens in the home. Mrs. Link answered yes. Rob Fitzsimmons informed the Board that he spoke to the Town of Claverack CEO who stated that the addition of a kitchen in the basement is not a concern but is not sure if it creates a zoning issue. Lisa Bowe asked if the well is up hill from the house. Mr. Campeta answered yes the well and the septic are behind the home.

Virginia Ambrose asked what the Mt. Ida Wellhead protection area means. Rob Fitzsimmons answered that this means that there is a limit on what can be built and done within the area. Stephen King stated that adding two bathrooms requires a septic upgrade. Mrs. Link informed the Board that she is planning to upgrade the septic system but the plans are not yet set. John Campeta informed the Board that the septic system has been approved by Mike DiRuzzio. Chairman Cole informed the applicant that the Board requires the letter of approval from CCDOH for the file. Chairman Cole informed the applicant to submit their new septic design to the CCDOH. George Schmitt informed the applicant that if they augment the septic system the Board needs a letter of approval from the CCDOH or it leaves it all in limbo. Mr. Campeta stated that the TOC CEO has a letter from Mr. DiRuzzio that the septic is ok. Virginia Ambrose asked if this is two separate applications. George Schmitt stated that the Board is not reviewing the basement it is not required as per the TOC CEO. Rob Fitzsimmons informed the Board that this application is for a single-family home with an accessory apartment. Mr. Campeta informed the Board that the basement design is approved by the TOC CEO. Rob Fitzsimmons agreed that the 3 kitchens make the application appear like a three-family dwelling but it is actually a single-family dwelling with an accessory apartment but it isn't according to the CEO. Rob Fitzsimmons continued that the number of bedrooms dictates the size of the septic and he informed the applicants that the TOC CEO will need a definite CCDOH approved designed system. Mrs. Link informed the Board that the accessory apartment will not have access to the main house but is completely separate living area for her father. Mrs. Link continued that the accessory apartment will have three exits. No further questions.

Motion to accept the application as compete and set for public hearing on June 7, 2021 was made by Stephen King with a second from William Michael. All members were in favor. Motion carried.

Mr. Campeta stated that the Board needed a letter from Mike DiRuzzio. Rob Fitzsimmons informed Mr. Campeta to pick a path for the septic and then submit the design to the CCDOH with approval for either an upgrade or a new system. Chairman Cole informed the applicant that the Board could grant a conditional approval pending the CCDOH approval. Continued to June.

**Clover Meadow Solar/Edward & Sandra Casivant/Eden Renewables Site Plan & Special Exception Review: Tax Map #(SBL) 100 . – 1 – 1 . 5 Located at 129 Humane Society Rd. Site Plan Review and Special Exception Permit for the installation of a large-scale solar farm.**

Gillian Black and Anna Rayder were present for the application. Mr. Black informed the Board that the application is for the third of three planned large-scale solar farms situated on the Casivant farm on Humane Society Rd. Mr. Black continued that this site was more difficult to plan out because of several wetland areas and flood plain areas. Mr. Black continued that this is a 60-acre parcel and will have 28-acre solar field. Mr. Black explained that the site will have equipment slabs, 15-foot access roads and a 20-foot area surrounding the arrays. Mr. Black stated that the arrays will be 15-feet from the roadway and will be surrounded with an 8-foot high fence which is along a private roadway. Mr. Black continued that Humane Society Rd. is a Town of Claverack roadway until just past the Humane Society buildings then it becomes a private road to the Casivant residence. Mr. Black continued that the Town of Claverack abandoned that section of roadway years ago and snow plows turn around at this point. Mr. Black explained that the Town code calls for a 100-foot setback along the entire project but due to the topography of the site they could only get a 20-foot setback along the abandoned section of the roadway so they have submitted an application for an Area Variance of 80-feet to the Town of Claverack Zoning Board of Appeals. Mr. Black informed the Board that they have already met with the TOC ZBA and he received a favorable response so feels that the Area Variance will be granted at the May meeting. Mr. Black also informed the Board that he has spoken to Chief Brennan Keeler regarding access and will supply a letter as soon as it is received. Mr. Black informed the Board that he will be asking for a 24-month approval instead of the typical 90-days so

that they can set up funding and permitting. Mr. Black stated that this is a sketch plan. Stephen King asked about the Dutch Village Mobile Home park and is requesting an elevation design as from the mobile home park. Gillian Black will supply the information. Stephen King also suggested that some more solid or shielding fencing be installed along the roadway where the 100-foot setback will not be reached. Stephen King stated that he understands that this is along the abandoned area of the roadway but this is still very close so he suggests a more solid fencing. Mr. Black continued that the arrays will rotate with the sun and in order to make the maximum number of arrays on the size of the site a portion of the arrays will be double panels making them higher than the regular single arrays so the double arrays will be approximately 15-feet high while the single arrays are 8-feet high. Gillian Black explained that these arrays will have an increased row width he will submit details for the June meeting. Lisa Bowe asked if the double arrays will be visible from the roadway. Mr. Black answered yes from Humane Society Rd. Stephen King asked if there could be better fencing/screening to block the view of the arrays such as a more solid fence. Mr. Black stated that they have tried to use a fake fence material that appears to look like ivy but it didn't work out very well but they will look at other types of fencing. Chairman Cole asked if Mountain View Rd. will be able to view the site since it sits up high and looks down onto the area and would like a visual analysis. Mr. Black stated that they have done a visual analysis and will look to see if they have one from this area. Stephen King suggested a visual analysis from the mobile home park because the arrays are not higher. Mr. Black will look for that study also. Chairman Cole stated that the biggest problem is the higher arrays closer to the roadway and asked if single panels could be installed near the road. Mr. Black stated that this might be difficult to design to achieve the maximum for the size of the parcel. Chairman Cole asked if there will be battery storage. Mr. Black answered that batteries are very expensive but will have two equipment pads in the plan. Mr. Black continued that the that will send the power lines to NYS Rte. 66 because they cannot go to Pulcher Ave. due to the circuit being full. Mr. Black stated that part of the line will run buried through the property of Ronald Casivant via easement. Mr. Black continued that the line connect will be consist of some poles with some pad mounted with a roadside disconnect that can be switched off by National Grid. George Schmitt asked for engineered designed plans. Mr. Black stated that he will submit them for the June meeting. Mr. Black stated that they are working with the Hudson City School District to begin a \$3,000.00 program with the technology department and a possible \$1,000.00 scholarship. Virginia Ambrose stated that this property was at one time a very large agricultural area and she would like to see pollinator habitats. Mr. Black stated that their company has an extensive biodiversity plan with wildflowers, bees, bird and bat houses and seeds that are native.

Punch list: Lead Agency, SEQRA, County Planning, Decommission plan, PILOT etc.

Continued to June.

**Motion to adjourn the meeting was made by Virginia Ambrose with a second from Alberta Cox. All members were in favor. Motion carried. Meeting adjourned at 8:30 p.m.\**

**Respectfully submitted,**

**Jodi Keyser, Secretary**