

Approved 5/3/2021

**TOWN OF CLAVERACK
PLANNING BOARD
Meeting Minutes
April 5, 2021**

Chairman Scott Cole called the April 5, 2021 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

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

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

Motion to approve the minutes of March 1, 2021 was made by Alberta Cox with a second from Virginia Ambrose. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 4/5/2021:

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

Jodi Keyser informed the Board that she reached out via email to Mr. Connor the representative for the Arnone family regarding their progress with the application. Mr. Connor informed the Board that his client is requesting a continuation of the application for another month. Mr. Connor informed the secretary that his clients have an offer on the entire parcel and might not need the subdivision at this point. Mr. Connor was asked to inform the Planning Board secretary of the status prior to the May 3, 2021 meeting.

Xeroderma Pigmentosum Society Inc. Subdivision: Tax Map # 153 – 1 – 2 Located at 437 Snyderstown Rd. Subdivision of 25.9 acres into 2 parcels.

Caren Mahar was present for the application. Mrs. Mahar reviewed the application for the Board. Mrs. Mahar informed the Board that a 3 lot subdivision was completed in the 1970's of this property but was never filed with the county. Mrs. Mahar continued that she is now only seeking a subdivision of 6 +/- acres from the 26 +/- acre property. Virginia Ambrose asked what is happening with the remainder of the property. Mrs. Mahar stated that she will retain the remaining 20+/- acres.

Chairman Cole opened the meeting to public hearing at 7:06 p.m. No zoom comments and no in person comments. Chairman Cole closed the public hearing at 7:07 p.m.

George Schmitt reviewed the SEQRA for the Board.

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

Motion to approve a two-lot minor subdivision was made by Lisa Bowe with a second from Alberta Cox. All members were in favor. Motion carried.

Maps were stamped and signed. All fees were paid.

NEW APPLICATIONS for 4/5/2021:

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 this application is a Special Exception Renewal for an existing Telecommunication tower located at Forest Lake. Ms. Valk continued that the Special Exception Permit was last renewed in 2016. Ms. Valk submitted an escrow check in the amount of \$500.00. George Schmitt stated that he will review the structural and that the shot clock begins for the Town of Claverack has to complete the renewal review. Ms. Valk continued that the Board if the Board is familiar with the site of the telecommunications tower it is accessed via a long driveway off of NYS Rte. 23 just past the overpass of the Taconic State Parkway. Ms. Valk continued that the site consists of a 180-foot monopole telecommunications tower with one tenant and an equipment shed with photos submitted. Ms. Valk continued that the RF emissions comply with the standards and this is just a very straight forward renewal with nothing changing. Ms. Valk informed the Board that the client takes pride in their facilities so the tower is in great shape. Tim Wyman asked how many tenants are located on the tower. Ms. Valk answered that at this time only one carrier is located on the tower and that under the existing approval only three tenants are allowed. Rob Fitzsimmons accepted the escrow check and wrote the application name and tax map number on the check stub for the Town of Claverack bookkeeper to keep escrow better designated. Ms. Valk asked who takes care of the notices. Rob Fitzsimmons informed the applicant's representative that the applicant usually notices the abutters for telecommunication towers and that the Planning Board secretary will create and submit notification in the newspaper. Mr. Fitzsimmons informed Ms. Valk that proof of notice is required for the file.

Motion to deem the application complete and set public hearing for May 3, 2021 was made by William Michael with a second from Virginia Ambrose. All members were in favor. Motion carried.

Lisa Bowe recused herself from the meeting at 7:35 p.m. due to a conflict.

Avery, Dorothy M & Avery, Ralph P Trust Subdivision: Tax Map #(SBL) 132 . 00 – 01 – 02 & 132 . 00 – 01 – 03 Located at 445 Rte 23 and 449 Rte 23.

Matt Bowe and Keith Avery were present for the application. Mr. Avery informed the Board that he is seeking a boundary line adjustment and will retain ownership of parcel #2 but he doesn't own the driveway to NYS Rte. 23 so the need for the Boundary Line Adjustment. Mr. Bowe informed the Board that his client will merge parcel 1.2 with parcel 2 to encompass the property and driveway. Chairman Cole asked if the Board members had any questions. Alberta Cox asked Mr. Avery if his parents live in the middle house. Mr. Avery answered yes. Rob Fitzsimmons informed the Board that the Town of Claverack Law now allows for an expedited review of Boundary Line Adjustments because the applicants are not creating any new parcels, all parties are in agreement and the deeds will be changed to show the changes of the survey maps after the Boundary Line Adjustment is approved. Rob Fitzsimmons continued that once approved the applicant is responsible to have new deeds drawn up with an attorney and to file two of the approved maps with the County Clerk's office. Rob Fitzsimmons continued that the applicant has provided stamped and signed maps from a licensed surveyor and has shown that they are not forming any new parcels. Rob Fitzsimmons informed the Board that this is a Type 2 action for purposes of SEQRA and does not require SEQRA review and does not require a public hearing so the Board is free to make a motion to approve or not approve.

Motion to accept the application for a Boundary Line Adjustment and to grant approval was made by Virginia Ambrose with a second from Alberta Cox. All members were in favor. Motion carried. Chairman Cole stamped and signed the maps. All fees were paid prior to the meeting.

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

Ken Krapf, Tyler Bruno, Matt Bowe and Karen Tanzillo were present for the application. Mr. Krapf informed the Board that his client is seeking to upgrade an existing single-wide mobile home with a new double-wide mobile home. Chairman Cole informed the applicant that the Town of Claverack has a law that mobile homes that are not in a mobile home park are allowed a one time replacement. Rob Fitzsimmons stated correct and added that the application is currently before the Town of Claverack Zoning Board of Appeals for an Area Variance. George Schmitt informed the applicant that just as with the ZBA he is looking for signed and sealed survey maps. Mr. Krapf stated that he will supply the maps for the next meeting. George Schmitt informed the applicant that he has a concern with the septic system because the home is going from a 2-bedroom to a 3-bedroom. Mr. Krapf informed the Board that the septic tank was recently upgraded to a 1,000-gallon tank and he has photos of the leach field upgrade with infiltrators to help. Mr. Krapf has photos of the leach field upgrades and he will submit them. Rob Fitzsimmons informed the Board that the Town of Claverack Zoning Board of Appeals will hold a public hearing on April 28th for the Area Variance. Rob Fitzsimmons continued that there is some question as to the exact size of the double-wide as opposed to the lot size because it appears that another Area Variance might be required because the new mobile home will exceed the allowed lot coverage. Matt Bowe answered that his calculations show that the lot coverage will be approximately 15.75 %. Rob Fitzsimmons informed the applicant to submit an Area Variance for the lot coverage/density with the Zoning Board of Appeals for lot coverage of 15.75% with an amended application added to the current application. Karen Tanzillo asked to clarify if she needs a new application or could she amend the current application. Rob Fitzsimmons informed the applicant to reprint the application and just fill out the new information for the coverage/density so there is a paper trail for the two separate issues but no need for a second separate application. No Board questions. Virginia Ambrose asked what the character of the neighborhood is like and if there are houses on either side of the proposed site. Mr. Bruno answered that this is on a dead-end road with houses on one side of the street and he has houses on both sides. Karen Tanzillo added that there are about 6 houses all along the northern side of the dead-end road and this is the only mobile home on the road. Virginia Ambrose asked if this change will make the area better or make it an upgrade. Mr. Krapf answered that this will be a nice upgrade to the neighborhood and the family. No further Board questions.

Motion to accept the application as complete and set for public hearing on May 3, 2021 was made by Tim Wyman with a second from Alberta Cox. All members were in favor. Motion carried.

Mr. Krapf will send photos of the leach field laterals and upgraded system. Ms. Tanzillo stated that she can have the person that upgraded the septic system to write a report for the Board. Continued to May.

Lisa Bowe reenters the meeting.

Scott Cole read a letter from the NYSDOT to Charles Vieni's complaint of the NYS Rte. 23/23-B & 9H intersection along with Park Street. Rob Fitzsimmons informed the Board that the letter answers Mr. Vieni with exactly the same answer that he received from the Town of Claverack which is that if designing the intersection were today it would be totally different design and as long as there are no lines of demarcation and no channelization of traffic patterns then the NYSDOT will not be spending tons of money to mitigate the site. Katy Cashen asked does this mean that Filli's market cannot paint parking spaces onto the parking lot. Rob Fitzsimmons answered correct no lines are required only need to show adequate parking for customers.

Motion to adjourn the meeting was made by Virginia Ambrose with a second from Tim Wyman. All members were in favor. Motion carried. Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Jodi Keyser, secretary