

APPROVED 7/6/21

TOWN OF CLAVERACK  
PLANNING BOARD  
Meeting Minutes  
June 7, 2021

Chairman Scott Cole called the June 7, 2021 meeting of the Town of Claverack Planning Board to order at 7:00 pm

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, Tim Wyman, engineer; George Schmitt, attorney; Rob Fitzsimmons and secretary; Jodi Keyser

Motion to approve the Minutes of May 3, 2021 was made by Tim Wyman with a second from Alberta Cox. All members were in favor. Motion carried.

Chairman Cole asked the Board members about the July 5<sup>th</sup> meeting falling on the legal holiday for the 4<sup>th</sup> of July observance and possibly changing the date of the meeting. Members agreed to hold the meeting on July 6<sup>th</sup> and the meeting will be held at the Claverack Library meeting room due to Town court.

**CONTINUING APPLICATIONS FOR 6/7/2021:**

**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.**

Lisa Link was present for the application. Ms. Link submitted a letter from the CCDOH for approval of the addition of a raised bed septic system for the addition of an accessory apartment. George Schmitt stated that the letter from the CCDOH was satisfactory. Stephen King asked if the applicant had approval for the three kitchens from the Town CEO. Rob Fitzsimmons informed the Board that this was discussed and found from the CEO that the additional kitchen does not require additional review from the Planning Board and is allowed. Ms. Link informed the Board that the TOC CEO was fine with the small kitchen in the basement. Chairman Cole opened the meeting to public hearing at 7:42 p.m. No comments were heard. Chairman Cole closed the public hearing at 7:43 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 Lisa Bowe. All members were in favor. Motion carried.

Motion to approve the Special Exception/Site Plan Review for the addition of an accessory apartment was made by Stephen King with a second from Alberta Cox. All members were in favor. Motion carried.

**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, Anna Rehder and Dana Alia were present for the application. Virginia Ambrose informed the group that she had asked for a pollinator plan at the previous meeting but had not received it. Gillian Black informed the Board that a pollinator plan will be supplied to the Board members before the next meeting but it is similar to the past two that were designed for the Claverack Creek and Catskill View solar fields. Anna Rehder reviewed the project for the Board as

a 26-acre solar field within a 60-acre parcel of land off of Humane Society Rd. in the Rural Agricultural zone and is a permitted use within this zone as per the Town code. Ms. Rehder continued that the project has now yet decided on the connection plan but have two different possibilities. Gillian Black stated that the two possibilities are an easement between Ron Casivant to trench across his property to a pad or lines on poles to the pad at the end of Humane Society Rd. Stephen King asked about the configuration of the pads. Gillian Black explained that there will be two pads that are 8-feet by 12-feet or three pads but when decided will show on the site plan. Stephen King asked if the pads will be contained. Tim Wyman asked about safety. Mr. Black informed the Board that they will work with them for fencing and safety of the pads along Humane Society Rd. but assured the Board that the pads will be well off of the road and away from the intersection of Rte. 66 also. Alberta Cox asked if the utility lines are very close to the Dutch Village MHP. Mr. Black stated that the large power lines are not from this project but are the Large Power lines from another project and this site is closer to the Kipp MHP not Dutch Village. Ms. Rehder reviewed the visual impact that was requested for the Board showing that there is a slight impact from Kipp MHP during fall and winter seasons when the foliage is off of the trees but very minimal. Ms. Rehder continued that the longer solar panels will be visible at certain times of the day as they rotate with the sun. Mr. Black explained that in order to acquire the most energy from the site with the limits of the topography they were tasked with creating double arrays instead of just single arrays at some points of the field. Mr. Black continued that these double arrays will double the height of the arrays so they will be taller and possibly visible from the mobile home park. Tim Wyman asked if there will be a glare from the arrays when they are rotated. Mr. Black answered that the panels are coated with an antireflective coating but there might be some glare at certain times. Mr. Black continued that a regular array is approximately 8.5 feet and the double arrays will be approximately 15 feet high. Ms. Rehder informed the Board that the second point of visual concern was from Mountain View Rd. Ms. Rehder informed the Board that there will also be limited visual impact from this area also. Chairman Cole informed the applicants that he drove along Humane Society Rd. and looked toward Mountain View Rd. and he could see the houses on the hill so they should be able to view the sites from their vantage points also. Chairman Cole continued that if the arrays are even taller than the normal ones they will most likely be visible and might cause concern with the residents. Ms. Rehder informed the Board that the application is currently before the Town of Claverack ZBA for area variance approval and held a public hearing on 5/26/21 but are awaiting a Lead Agency declaration from the Town of Claverack Planning Board before they vote. Ms. Rehder continued that they haven't applied to the County Planning Board for review yet but would like to move forward. Lisa Bowe requested that there be additional screening along the area of the Kipp MHP along the small hill to mitigate the view. Mr. Black stated that there is one small area where additional screening could be planted. Lisa Bowe suggested that evergreens or another screening that does not lose their leaves to allow for screening during the fall and winter months. Mr. Black stated that they will investigate but the area is wet and might not allow for additional planting. Stephen King stated that the interconnection pads need screening planned. Mr. Black answered yes along both Humane Society Rd. and NYS Rte. 66. Mr. Black continued that Mountain View Rd. is at a higher elevation and there isn't much that can be done to shield the view. Stephen King stated that additional fencing along Humane Society Rd. could be helpful especially if the TOC ZBA grants the area variance to allow for the array to be closer to the roadway. Mr. Black stated that someone suggested ivy growing on fences is a great idea and he will look into this possibility. Chairman Cole asked if there could be the possibility of underground lines at least to the first pole to keep the number of poles down. Mr. Black stated that this is being negotiated via an easement with Ron

Casivant but if this is not possible he knows that National Grid will not provide underground connections. Tim Wyman asked if it would be possible to use existing poles. Mr. Black answered that they would use existing poles were applicable but could also install larger poles and remove the smaller poles to cut down on poles. Alberta Cox asked if there were a storm and the power were cut would these sites go down also. Mr. Black answered yes the sites would shut down from feeding the grid during a power outage and the inverters shut down but the panels will still collect energy and produce energy but are not energizing the connection to the grid. Chairman Cole asked if they have received a letter from the local fire chief Brennan Keeler. Mr. Black stated that the letter was submitted. George Schmitt reviewed his review letter for the Board and asked that a couple of answers on the EAF be changed but not a big deal and nothing of significance was found. Mr. Black will take screening along Kipps MHP and Mountain View Rd. into consideration. Rob Fitzsimmons informed the Board that this application was noticed for public hearing. Chairman Cole opened the meeting to the public hearing at 7:35 p.m. No comments. Chairman Cole stated that the public hearing will be held open until the July meeting. Continued to July 6<sup>th</sup> meeting.

Rob Fitzsimmons informed the Board that they are free to make a motion to declare Lead Agency status for purposes of SEQRA.

Motion to declare that the Town of Claverack Planning Board as Lead Agency status for purposes of SEQRA was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried.

Motion to deem the application complete and to refer the application to the Columbia County Planning Department for review was made by Alberta Cox with a second from Lisa Bowe. All members were in favor. Motion carried.

Rob Fitzsimmons asked the applicant to make an electronic submission to the CCPB and hard copies via mail and he will create a letter to the CCPB. Applicant was asked to submit the fire chief letter to the secretary. Next meeting will be 7/6/21 at the Claverack Library.

**NEW APPLICATIONS for 6/7/2021:**

**Cantele Tent Rentals Site Plan Review:** Tax Map #(SBL)101 . – 2 – 43 Located at 37 Bender Blvd. Site Plan Review for an 80-foot X 70-foot addition to the existing building to be used for storage and a 100-foot X 80-foot addition to the east side of the existing building for inside and outside loading/unloading area.

Ryan Loucks and James Cantele were present for the application. Mr. Loucks informed the Board that his client is seeking to add an 80-foot by 70-foot addition for storage as well as a 100-foot by 80-foot addition to the loading dock for covered loading and unloading of equipment. Mr. Loucks continued that there is also a need for additional stormwater mitigation to alleviate flooding. Stephen King asked if the loading dock addition is new. Mr. Loucks answered no it is existing but will be covered. Stephen King asked if there will be a need for additional lighting. Mr. Cantele answered no additional exterior lighting will be needed. Tim Wyman asked if this is a new building. Mr. Cantele answered no about 20-years old. Tim Wyman stated he had this business mixed up with the other tent rental business. Rob Fitzsimmons asked what type of business does the site have. Mr. Cantele answered tent rentals as well as chairs, tables, stages, party rental supplies i.e. linens and things. Lisa Bowe asked if the additions were strictly for storage. Mr. Loucks answered yes for increased storage

and a covered loading dock. George Schmitt stated that the site plan looks complete and meets all setbacks.

Motion to accept the application as complete and set public hearing for July 6, 2021 at the Claverack Library was made by Tim Wyman with a second from Virginia Ambrose. All members were in favor. Motion carried.

**Weininger, Richard Site Plan Review: Tax Map #(SBL) 131 . – 1 – 64 Located at 125 Millbrook Rd. Site Plan Review for the installation of a 21.75kW ground mounted solar array consisting of 3 SMA sunnyBoy 5.0-US inverters and 50 LG435N2T-E6 modules.**

Mr. Wilo was present for the application via Zoom. Tim Wyman informed the Board that for full disclosure he is very close friends with Drs. Weininger and Stearns so will recuse if the Board feels that he should. Rob Fitzsimmons asked Mr. Wyman if he could be impartial and make impartial decisions. Mr. Wyman answered yes and remained to hear the application. Mr. Wilo informed the Board that his clients are seeking to install a small ground-mounted solar array for their personal residence at the southern end of their property. Mr. Wilo continued that the array will be situated at the end of a 500-foot trench along the property line. Mr. Wilo continued that the array will be 86-feet by 10-feet by 12-feet tall. Stephen King asked if the two parcels are owned by the clients because the trench looks very close to the property line and could be a setback concern. Mr. Wilo informed the Board that his client does not own the adjoining property closest to the trench. George Schmitt asked if there is a survey. Mr. Wilo informed the Board that his client was unable to find a survey map for the property. Rob Fitzsimmons asked Mr. Wilo what is the setback for the trench. Tim Wyman stated that if the property line is well marked it should be fine for a trench because it isn't an actual structure but is underground. Chairman Cole stated that without an official survey map it is very difficult to determine the exact property lines so nothing is clearly marked at all. Mr. Wilo stated that due to the pandemic his client was unable to obtain a copy of his official survey map. Chairman Cole stated that the client might need to have a new survey of the property. Chairman Cole continued that it is very difficult for the Board to make a decision on something where property lines are not clear and would better to err on the side of caution. Mr. Wilo stated that the trench will stay out of the wooded area and will be completely within the open field. Rob Fitzsimmons stated that if the property line was clear and the representative could show that the trench was 100-feet from the line it would be no question but without the survey it is difficult to determine the exact line. Chairman Cole stated that without a clear survey the Board will find it difficult. Tim Wyman stated that if the trench were 50-feet away from the property line that should be sufficient. George Schmitt stated that the Board could require the applicant to supply a current survey. Rob Fitzsimmons stated that to show the trench at least 50-feet so to be sure it is away from the property line. Stephen King stated that he doesn't want to guess about a property line and to guess if the trench is 50-feet away. Lisa Bowe stated that she would request a survey map for clearly defined property lines especially since it is a different owner. Stephen King stated that he understands that the trench is different from a structure because it is underground and nothing to be seen. Chairman Cole stated that if the applicant's representative could supply something showing that the points of the property lines stay 50-feet from the trench. Rob Fitzsimmons informed Mr. Wilo that the Board needs to be certain that the trench is 50-feet from the property line or try to obtain a survey map. Mr. Wilo stated that he could stake and flag the property line and trench and supply photos. Stephen King stated that he would want to see the area of the trench along the property line or mark where the 50-foot line would be.

**Motion to accept the application and set for public hearing for July 6, 2021 at the Claverack Library was made by Stephen King with a second from Alberta Cox. All members were in favor. Motion carried.**

**Camp DD LLC Site Plan Review:Tax Map #(SBL)123 . – 2 – 29 Located at 3 Prach Rd, Site Plan for a 14-foot by 35-foot addition to an existing commercial office building.**

**Chad Lindberg from Taconic Engineering was present for the application. Mr. Lindberg informed the Board that his client is seeking site plan approval for a 35-foot by 14-foot addition to his existing commercial building. Mr. Lindberg continued that the building is an existing use in the Highway Commercial Zone and meets all setbacks. Mr. Lindberg suggested that this is such a small project would the Board consider waiving the public hearing. George Schmitt asked if the expansion of the building will add employees also which would require additional review for septic and water. Mr. Lindberg answered no it is an existing business with 38 employees. Rob Fitzsimmons informed the applicant's representative that this property is within the wellhead overlay zone and Philmont Water supply so the Board needs to make sure that the business is not storing any paints or toxic materials that could do harm to the water supply.**

**Motion to accept the application and set public hearing for July 6, 2021 at the Claverack Library was made by Lisa Bowe with a second from Alberta Cox. All members were in favor.**

**No other business.**

**Motion to adjourn the meeting was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried.**

**Meeting adjourned at 8:15 p.m.**

**Respectfully submitted,**

**Jodi Keyser, secretary**