

TOWN OF CLAVERACK  
PLANNING BOARD  
Meeting Minutes  
January 2, 2023

Chairman Cole called the January 2, 2023 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

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

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

Motion to approve the Minutes of the December 5, 2023 meeting was made by Stephen King with a second from Lisa Bowe. All members were in favor. Motion carried.

**Correspondence:** Letter from Corey Auerback on behalf of NextAmp Solar site at 197 Stottville Rd. formerly Borega Solar seeking approval for a site plan amendment to add trees. Rob Fitzsimmons informed the Board members that he has spoken to Mr. Auerback, attorney representing NextAmp, the new owner of the previously approved large scale solar field to get the solar project up to compliance. Rob Fitzsimmons informed the Board that this is the first time seeing the submittal. Mr. Auerback's letter states that the site already has a significant tree line along one side and would need to remove more trees in order to put the approved screening in so he is proposing that the existing trees be left to use as the screening instead of new installations and instead plant those proposed trees in other areas. Rob Fitzsimmons continued that they are asking the Board if this is considered a significant modification and would want to have further review. Stephen King stated that this appears like a reduction of the previous approval but without a much larger and more clear map it is difficult to understand what they are proposing. Rob Fitzsimmons agreed and since it is the first time he is viewing the plans the Board can request a representative appear to explain the proposed changes in detail. Rob Fitzsimmons continued that he will contact Mr. Auerback with this request and ask that larger maps with clearer visuals be supplied to the Board members for review. Tim Wyman stated that there is a letter referring to the Papas property and this is also confusing because it appears that the owners have had negotiations with the company. Rob Fitzsimmons will clear up the details and will contact Mr. Auerback.

No applicants were present at the 7:00 p.m. start of the meeting.

**CONTINUING APPLICATIONS FOR 1/2/23:**

**Sutton, David & Masters, Victoria Special Exception/Site Plan:** Tax Map #(SBL) 130 . – 1 – 6 . 112  
Located at 195 Stone Mill Rd. Special Exception/Site Plan for the construction of a 56 panel ground mounted solar array, 1 SMA S87 inverter, 2 SMA S86 invertors.

No correspondence was received from the applicant regarding the meeting.

**Abeyatunge, Krishan & Lambert Site Plan/Special Exception:** Tax Map #(SBL) 111 . – 1 – 11  
Located at 148 Kittle Rd. Site Plan Special Exception to convert an existing 390-square foot garage into a guest house.

Secretary Jodi Keyser informed the Board that Mr. Abeyatunge had emailed that they are getting the septic system designed and would likely attend the February meeting with details.

## **NEW APPLICATIONS FOR 1/2/23**

**Kiernan, Walter & Saxby, Ann Marie as trustees of the Kiernan Sullivan Family Trust Subdivision:**  
**Tax Map #(SBL)132 . – 2 – 8 . 1 Located at the intersection of Old Barrington Rd. and NYS Rte. 23.**  
**Subdivision of 18.38 into two parcels of 8.38 and 10 acres.**

**Mr. Walter Kiernan and Ann Marie Saxby were present for the application. Mr. Kiernan informed the Board that he is the owner of two parcels on Old Barrington Rd. and NYS Rte. 23. Mr. Kiernan continued that he leases the existing farmhouse and the tenant is interested in purchasing Parcel 1B which contains the existing farmhouse, barns and field consisting of 8.38-acres from the 18.38-acres with Mr. Kiernan retaining the remaining 10-acres. Mr. Kiernan informed the Board that he also owns 54-acres across NYS Rte. 23 from the proposed subdivision which he will also retain. Mr. Kiernan informed the Board that he owns Walt's Dairy in Copake and farms the parcels for his business and grows soybeans, corn and hay. George Schmitt informed the applicant to go to the surveyor, Wesley Chase and have him make new maps showing the proposed subdivision. George Schmitt informed the Board that the 10-acre parcel would require perk testing but the Board could waive this requirement if they feel that the existing well. Chairman Cole stated that he if in agreement with waiving the required perk testing on the vacant parcel as long as a note is added to the map stating that perk testing is required on vacant parcel prior to issuance of a building permit.**

**Motion to waive perk testing on the vacant 10-acre parcel with a note added to the subdivision map that perk testing is required prior to the issuance of a building permit was made by Virginia Ambrose with a second from Tim Wyman. All members were in favor. Motion carried.**

**Mr. Kiernan was informed of all changes for the maps and to submit prior to January 19, 2023 for the February meeting.**

### **New Business:**

**Chairman Cole asked the Town Board members present at the meeting about his previous request for each Board member to have Town issued tablets to use instead of having paper copies. Chairman Cole continued that he feels that this would benefit the applicant as well as the Board members with the large amounts of paper that they are handed for each application. Town Board member Katy Cashen stated that the Zoning Board of Appeals does not want tablets so the Planning Board needs to decide if they all want tablets. Rob Fitzsimmons stated that they have asked applicants to supply .pdf files in the past and it might be something to look into. Tim Wyman stated that he thinks that hard copies of maps to view because the tablets are very small and it could be difficult to understand an application map on such a small screen. Chairman Cole stated that the Board could ask applicants to still submit 4-6 hard copies of the application to have instead of the required 11 copies. Lisa Bowe stated that the .pdf files need to be updated with changes because new maps show these things but the .pdf files might not be updated. Katy Cashen stated that the Board members will need internet access to use the tablets at the meetings which is another issue to tackle. Chairman Cole stated that a 10-12 inch tablet would be sufficient. Katy Cashen will talk to the Town IT person to see what is available. Board members agreed that this would save applicants and therefore is a good thing to try to do. Stephen King suggested that it could be possible to have one good iPad that could be used to project onto a screen. Pat Fecher asked if she could use her own laptop/Ipad or if she had to have one supplied by the Town. Katy Cashen stated that she will investigate the possibility and how other towns use technology.**

### **Public comments:**

Stephanie Sussman requested that the Town go back to all virtual meetings or at least allow for a virtual option so that people of the community could be included in all Town meetings. Ms. Sussman continued that flu, RSV and COVID are increasing in the county and people need to protect themselves. Ms. Sussman continued that she spoke with Supervisor Weigelt who assured her that all Town Board meetings would have virtual access and she is urging the Planning Board and Zoning Board of Appeals to do the same. Ms. Sussman continued that she understand that the internet connectivity is a problem so the Town should be using the Library Community room for all Town meetings because it has adequate internet service. Ms. Sussman continued that this is a critical time and the Town shouldn't expect people to attend meetings in person with the flu, RSV and COVID rising because it is not far to the community and to the elderly that would be scared to attend. Ms. Sussman continued that the bad weather and driving in the dark also prohibit elderly community members from attending meetings so virtual meetings are necessary.

Chairman Cole stated that he understood Ms. Sussman's concerns but the Town of Claverack is not renting the Library Community Room but are renting the former library building as the temporary Town Hall. Chairman Cole continued that the Town has spent a large amount of money to fix, add an ADA compliant bathroom, additional parking, roof, etc. to the building they are renting and this is where the meetings will be held until a new Town Hall is completed. Chairman Cole continued that the Library is gracious to allow for use of the Community Room during times of increased attendance or business but unless this is the problem the meetings will be held at the smaller building. Ms. Sussman stated that the internet service needs to be addressed with the vendor so that the public has access to the meetings without having to attend in person. Ms. Sussman stated that people don't want to drive and meetings should be accessible to everyone. Tim Wyman stated that zoom meetings are not as productive as in person with the inability to look applicants in the eye or see the application materials in person. Ms. Sussman stated that there is a way that this could happen. Lisa Bowe asked Katy Cashen if she saw a large demand for zoom attendance during the past two years. Katy Cashen answered that the demand depended on the applications but the demand has definitely decreased over the last several months. Katy Cashen continued that for the most part there were less than 5 people requesting the link and then some of those people didn't even use it to attend. Stephen Hook stated that people would call the Town office requesting the zoom link or email the clerk and then never use the link to attend the meeting. Ms. Sussman stated that the link should be available to everyone that wants to use it not just having to call to get it the day before the meeting. Katy Cashen answered that this is not possible because it is not a secure site and allows for hackers to enter the meeting and cause problems which has happened. Ms. Sussman asked if the Town could have webinars for the meetings. Stephen Hook and Katy Cashen both stated that the webinars are very difficult to conduct meetings with because there is constantly people asking questions and talking over people at the same time and no way to control the meeting this way. Ms. Sussman again stated that Supervisor Weigelt would have remote access to all Town Board meetings and it should also be available for Planning Board and Zoning Board of Appeals meetings. Katy Cashen stated that this was news to her and she spoke to Supervisor Weigelt earlier in the day and he said nothing about this. Rob Fitzsimmons stated that the County has a law that if a member is sick or unable to attend that they have virtual access to allow the Board to be able to continue to conduct business. Rob Fitzsimmons continued that the County uses an OWL system which is very expensive to purchase and they also installed large screen monitors with a dedicated YouTube channel so that the public can watch meetings but the public is not involved. Rob Fitzsimmons continued that public hearings need public in-person attendance. Katy Cashen stated that the Town has investigated the OWL system and it is very expensive to use especially for multiple areas and is only a way for the public to view meetings not participate as she understood. Tim Wyman stated that

**this system might be better installed in a new Town Hall building instead of spending the money for a rented building.**

**Motion to adjourn the meeting was made by Alberta Cox with a second from Pat Fecher. All members were in favor. Motion carried. Meeting adjourned at 7:50 p.m.**

**Respectfully submitted,**

**Jodi Keyser, Secretary**