

Approved 9/6/23

**TOWN OF CLAVERACK
PLANNING BOARD
Meeting MINUTES
August 7, 2023**

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

Chairman Cole called the August 7, 2023 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

Motion to approve the Minutes of the July 10, 2023 meeting was made by Pat Fecher with a second from Tim Wyman. All members were in favor. Motion carried.

Correspondence: Chairman Cole informed the Board members that the September meeting falls on Labor Day and asked the availability for an alternate date. Members agreed on Wednesday, September 6, 2023.

CONTINUING APPLICATIONS FOR 8/7/23:

**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 caretaker house.**

No show. Mr. Abeyatunge emailed the secretary the following day to express his apologies he forgot about the meeting but was able to have the CCDOH out to the site to view the perk testing. Cont.

Foundation for Agricultural Integrity 501(c)(3) d/b/a Churchtown Dairy Site Plan: Tax Map #(SBL) 141 . – 1 – 53 . 100 Located at 357 County Rte. 12. Site Plan Application for a farm-stay Bed & Breakfast.

FAI representatives and Matthew Cabral, Esq. were present for the application. Mr. Cabral informed the Board that he had submitted a letter for the septic system from CCDOH and an updated map. Mr. Cabral continued that the submitted plan shows a detail inset with parking, handicapped parking, handicapped walkway, walkway and ramp lighting, water supply, septic tank and leach field. Mr. Cabral informed the Board that the farmhouse has composting toilets. Chairman Cole informed the applicants representatives that the Board will request that a letter detailing the plan be sent to the Chief of the Churchtown Fire Company for review. Mr. Cabral stated that he was not informed that this was a requirement but will send the letter and plans right away. Chairman Cole added that the plan and letter should include the type of proposed use, number of potential occupants, etc. Mr. Cabral informed the Board that the occupancy limits have been set far below the allowed occupancy. Chairman Cole stated that the Board wants the Fire Company to be aware that there might be guests that are not aware of the emergency procedures and evacuation routes. Tim Wyman stated that it is a good practice to send the details of the proposal to the local fire companies because guests might not be aware of the emergency procedures. Mr. Cabral will send all of the information to the Churchtown Fire Company. Lisa Bowe asked the number of bedrooms. Mr. Cabral answered that there are 5 bedrooms but the plan is to only offer 4 bedrooms limiting to 10 occupants at any one time. Mr. Cabral asked if the Board would want a hard cap on the number of guests. Chairman Cole answered that would be up to the Zoning Code not the Planning Board to make any restrictions. Rob Fitzsimmons stated that occupancy limits are set by the building codes and to defer to

the Building Department. Mr. Cabral stated that he is not too sure what the Planning Board members have in mind but they are not going to have sets of bunk beds in all four rooms. Virginia Ambrose asked if there is some sort of meeting room or central gathering area in the house of farm store for the educational aspects of the farm stay. Mr. Cabral answered that there are living room and dining room just like in any other regular house and the kitchen has some space as well. Mr. Cabral stated that the farm is open to the public and invited anyone interested to stop over.

Chairman Cole stated that the punch list would be to send a letter of the plan and details to the Churchtown Fire Company and also to refer to the Columbia County Planning Board for review.

Motion to accept application pending punch list items and set public hearing for September 6, 2023 was made by Lisa Bowe with a second from Tim Wyman. All members were in favor. Motion carried.

Columbia Tent Rentals Site Plan/Special Exception Modification: Tax Map #(SBL) 101 . – 2 – 52 Located at 8 Bender Blvd. Columbia County Commerce Park. Site Plan Application to modify previously approved Site Plan to add a 4,500 square foot gable roof storage area to the current 10,000 square foot building as well as a 4,200 square foot pole barn for storage.

Mr. Rich Andreasson was present for the application. Mr. Andreasson submitted an Ag Data statement and sent letters to the A. B. Shaw and Mellenville Fire Companies. Chairman Cole informed Mr. Andreasson that he spoke with the Chiefs of both departments and they had not received letters. Mr. Andreasson will reach out to them again. Chairman Cole asked the Board members how they would want to proceed without responses from the fire companies. Board members stated to proceed. Chairman Cole continued the public hearing at 7:20 p.m.

Steven Hook stated that the applicant needs to have everything done, landscaping and cleanup the entire site before a Certificate of Occupancy is granted. Mr. Andreasson answered that the landscaping is already completed and cleanup will be completed with the building is done. Lisa Bowe asked when will the project be completed. Mr. Andreasson answered that the shed will be completed this Fall and then the pole barn will be completed by this time next year and the site will be cleaned up as soon as possible. Chairman Cole stated that this is a condition of the approval that no certificate of occupancy will be issued until the property is spotless. Chairman Cole closed the public hearing at 7:25 p.m.

Rob Fitzsimmons 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 Alberta Cox. All members were in favor. Motion carried.

Motion to grant approval of a Site Plan modification to include a 4,500 square foot storage shed as well as a 4,200 square foot pole barn for storage as depicted in the application with the condition that no certificate of occupancy is to be issued until the entire site is cleaned up was made by Pat Fecher with a second from Tim Wyman. All members were in favor. Motion carried. Maps were stamped and signed. Mr. Andreasson paid mailing fees of \$5.67 cash.

NEW APPLICATIONS 8/7/23

Joan Preusser Living Trust No. 1 of 2014 & Preusser, Chris & Carol Boundary Line Adjustment: Tax Map #133 . – 2 – 58 & Tax Map #(SBL) 133 . – 1 – 58 . 12 Located at 44 & 46 Preusser Rd. Boundary Line Adjustment of 2.022 from Tax Map #(SBL)133 . - 2 - 58 to be merged to Tax Map #(SBL) 133 . – 1 – 58 . 12.

Dan Russell and Malia Mossman was present for the application. Chairman Cole stated that he knows the

property very well and asked if there is a driveway agreement on file. Ms. Mossman answered yes and it will need to be updated since her niece built her house a couple years ago. Dan Russell will send a copy of the current driveway agreement to Chairman Cole at his office. Mr. Russell informed the Board that this property is owned by Joan Preusser with Malia Mossman acting as trustee for the estate. Mr. Russell continued that the property consists of a residence as well as a shared driveway that leads to houses all owned by members of the Preusser family. Mr. Russell stated that he was not sure when or how the shared driveway became attached to the Joan Preusser property but it is on no use to it and the family is seeking to separate it and add it to Chris Preusser's property. Mr. Russell continued that both parcels are pre-existing non-conforming parcels under the 5 acre density requirement. Mr. Russell continued that after the boundary line adjustment the Chris Preusser parcel will become 5.714 acres and the Joan Preusser parcel would become 2.882 acres. Mr. Russell continued that the proposal would take two pre-existing non-conforming parcels and make one parcel into a conforming lot and the other would become more non-conforming. Mr. Russell stated that no new lots will be created as the shared driveway will be added to the Chris Preusser parcel. No Board questions. Tim Wyman stated that it is good to make one parcel into a conforming parcel. Mr. Russell stated that it doesn't make any sense to keep the shared driveway with the Joan Preusser parcel. Rob Fitzsimmons stated that everything looked fine to him.

Motion to approve the Minor Boundary Line Adjustment as depicted in the application and survey maps was made by Lisa Bowe with a second from Virginia Ambrose. All members were in favor. Motion carried.

Chirichella Subdivision: Tax Map #(SBL) 143 . – 1 – 4 Located at 205 Palmer Rd. Craryville. Subdivision of 35 acres into three parcels consisting of 10.940 acres, 18.970 acres and 5.092 acres respectively.

Dan Russell and Mr. Chirichella were present for the application. Mr. Russell presented that Mr. Chirichella owns 35 acres located at 205 Palmer Rd. and is seeking to subdivide into parcels of 18.970, 10.940 and 5.092 acres. Mr. Russell continued that the parcel containing 18.970 acres has Mr. Chirichella's residence. Mr. Russell stated that the properties all contain wetlands that have been NYS DEC delineated but they all have buildable areas as shown on the maps. Pat Fecher asked if parcel #2 contains the residence. Mr. Russell answered yes and it has been there at least since 1979. Mr. Russell added that he has submitted Town of Claverack Highway letters and Columbia County Department of Health letters as well for the parcels.

Motion to accept the application as complete and set for public hearing on Wednesday, September 6, 2023 was made by Lisa Bowe with a second from Alberta Cox. All members were in favor. Motion carried.

Harpis, Paul Restamping of a previously approved site plan.

Mr. Harpis appeared before the Board requesting a restamping of his previously approved site plan modification from April 2023 that timed out. Mr. Harpis informed the Board that nothing has changed and the plan is exactly the same as they reviewed in April 2023.

Motion to approve a restamping of the previously approved Site Plan modification was made by Tim Wyman with a second from Pat Fecher. All members were in favor. Motion carried. Maps were restamped and signed.

Emerson Solar 100 Stottville Rd.

Rob Fitzsimmons informed the Board that he received a letter from Hyde Clarke requesting another extension. Rob Fitzsimmons continued that the project is seeking a 6-month extension to November 1,

2023. Rob Fitzsimmons continued that the projects are having trouble getting on line and issues with National Grid.

Motion to grant a 6-month extension to November 1, 2023 was made by Tim Wyman with a second from Alberta Cox. All members were in favor. Motion carried. Rob Fitzsimmons will supply an extension letter for the applicant.

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 7:55 p.m.

Respectfully submitted,

Jodi Keyser, secretary

Adjourn meeting