

APPROVED 5/2/16

**TOWN OF CLAVERACK
PLANNING BOARD
Minutes of: April 7, 2016**

Acting Chairman Scott Cole called the April 7, 2016 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.

**Members in attendance were: Acting Chairman Scott Cole, Virginia Ambrose, Joseph Singleton, Gretchen Stearns, attorney; Rob Fitzsimmons, engineer; George Schmitt and secretary; Jodi Keyser
Absent: Chairman Brian Goodrich and Judy Zink.**

Correspondence: None

Members reviewed the minutes of the March 7, 2016 meeting. Gretchen Stearns asked that Weekley be changed to Winkley.

Motion to approve the minutes of the March 7, 2016 meeting was made by Virginia Ambrose with a second from Gretchen Stearns. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 4/4/16:

Newsome, Jack & Louise dba State 11 Distillery: Tax Map # 121 . – 1 – 73 Located at 284 NYS Rte. 23. Special Exception for a farm distillery.

Board secretary informed the Board that she received a message from Sophie Newsome requesting that the Newsome application be removed from the agenda until further notice.

Columbia Greene Humane Society Special Exception Revision: Tax Map #(SBL) 100 . – 1 – 03 Located at 111 Humane Society Rd. Special Exception Revision of a previously approved Special Exception for the addition of a new building for a veterinary clinic and animal shelter.

Board secretary informed the Board that Mr. Perez emailed Rob Fitzsimmons to inform the Board that he is still waiting for a sound study and will not be attending the meeting but would likely return for the May meeting.

NEW APPLICATIONS FOR 4/4/16:

Hudson Valley Classic Motors Special Exception: Tax Map #(SBL) 101 . – 2 – 11 . 200 Located at 829 Rte. 66. Special Exception for the installation of 2 (two) 9 meter satellite telecommunication transmitting/receiving antennas at the rear of the building.

Tom Yung and Vince Vesper were present for the application. Mr. Vesper works for ABS the owner of the satellite dishes. Mr. Yung submitted a new site plan map and photos of a digital likeness of the satellite dishes. Mr. Yung informed the Board that the new site plan shows the dishes are moved closer to the building. Mr. Vesper informed the Board that the satellite dishes move around in place to find the satellite so they might be more visible some days rather than others. Virginia Ambrose asked if the doorway will be clear. Mr. Yung stated yes. Gretchen Stearns informed the applicant's representatives that they still need to meet the fire codes. Mr. Yung informed the Board that the satellite dishes do not exceed the maximum height allowance for the Town of Claverack and conform to all setbacks. George Schmitt informed the applicant's representatives that the one photo has a view of Gahbauer Rd. when the Board actually wanted the view from Gahbauer Rd. Mr. Vesper submitted other photos and information showing the view of the satellites from Gahbauer Rd. and an aerial view of the site. Mr. Vesper also submitted a photo of another teleport site owned by ABS in New Jersey. Mr. Yung informed the Board that this photo was submitted to show how the satellite dishes can be screened. George Schmitt asked Mr. Vesper if he had any information on the amounts of the RFs that will be emitted. Mr. Vesper informed the Board that the satellite dishes will transmit energy to the satellites that are 22,500 miles away and then receive information back to the other dish from the satellite. Mr. Vesper explained that it is like a cell tower thousands of miles above earth. George Schmitt informed the applicant of the legal aspects of the application like FCC and the FAA permits. Mr. Vesper informed the Board that he has done an environmental study which shows very low levels of energy. George Schmitt

informed the Board that he will review the report. Joseph Singleton asked if there are any issues with the airport. George Schmitt informed the Board that issues with the airport would be in the report and any permits. Mr. Vesper informed the Board that they are required to obtain a permit from the FCC and the airport would be identified for that permit. Joe Singleton asked if the satellite dishes are bouncing information or wheeling the information. Mr. Vesper informed the Board that these satellite dishes are used to move information to places that are located outside of the area of a cell tower or internet access such as a cruise ship or internet café. Joe Singleton asked if having these satellite dishes could help the broadband access in the Town of Claverack. Mr. Vesper stated that is up to the owner of the company. Rob Fitzsimmons stated that Columbia County conducted a broadband study to help secure Federal and State money to schools, libraries and other public places to connect to the internet where they might not have access through other means. Gretchen Stearns informed the applicant's representatives that the Town engineer will review the information and that information needs to be submitted before the May meeting. Joe Singleton stated that information on the type of backup generators for fire suppression needs to be submitted also. Gretchen Stearns asked if the building will have servers. Mr. Vesper informed the Board that some minor electrical equipment and modems will be housed in the building. Joe Singleton informed the applicant that the site plan needs to have a fence around the dishes and generators, types of generators, and the screening plan needs to be shown. Gretchen Stearns informed the applicant's representatives that a screening plan is required the same as it is for a solar array. Rob Fitzsimmons asked the engineer what the review would cost to set up an escrow account. George Schmitt stated that \$2,000.00 would be a good start. Joe Singleton asked about a removal bond. George Schmitt answered it would be less than a cell tower. Board members agreed on setting an escrow account of \$2,000.00 for the review. George Schmitt asked if a SEQRA form was submitted. Rob Fitzsimmons stated that a short form SEQRA was submitted with the application. Continued to May.

Martin, Dana & Tracy Special Exception Permits: Tax Map #(SBL) 131 . – 2 – 13 Located at 261 Schoolhouse Rd. Special Exception for an accessory apartment and Special Exception for Residential use.

Tracy and Dana Martin were present for the application. Mrs. Martin informed the Board that they are seeking a Special Exception to convert a barn on their property into an accessory apartment for family to stay during visits because the residence is only a small 2 bedroom structure. Mrs. Martin continued that they understand that they will need an Area Variance from the TOC Zoning Board of Appeals because they plan to renovate the entire barn and it is over 40% of the square footage of the primary residence. Mrs. Martin informed the Board members that she is living in Claverack full time and her husband still spends most of the time in NYC but hopes to be a full time resident soon. Mr. Martin informed the Board that they know most of their neighbors but they are not planning to change anything just to improve the barn. Gretchen Stearns informed the applicant that she read about possible short term rental type bed and breakfast idea in the application packet but they are currently not allowed. Gretchen Stearns continued that the square footage of the porch on the barn needs to be figured into the total square footage same for the dimensions of the porch on the house which might help. Gretchen Stearns continued that she has an issue with the porch on the barn because it is within the 100 feet of disturbance of a DEC Class C designated stream. Gretchen Stearns informed the applicant that they can do anything inside of the barn but not add to the outside and she agreed that it would be crazy not to do the entire inside of the barn but would need a variance to accomplish this. Mrs. Martin asked if she could place the porch on another side of the barn. Gretchen Stearns answered that is still a disturbance. Joe Singleton asked the applicant if they have considered a caretaker housing or an accessory apartment because a caretaker housing is allowed to have separate septic. Joe Singleton asked if the area was perk tested. Mr. Martin answered no. Gretchen Stearns informed the applicant that a caretaker housing facility requires separate septic and water systems but accessory apartment is hooked to the existing main septic and water system. Gretchen Stearns informed the applicant that they could do a patio on the barn but not a porch. Gretchen Stearns states that TOC Zoning Code 15.3.7 is the requirements for a caretaker dwelling and 15.3.1 is for an accessory apartment. Rob Fitzsimmons informed the applicant that the caretaker dwelling or accessory apartment cannot be used for a bed and breakfast, studio space or any other short term leasing and the TOC Building Department will require the Planning Board to specifically state this in the approval. Gretchen Stearns informed the applicant that the TOC Zoning Board of Appeals will need to grant an Area Variance and if needed an interpretation of the use but she is against the addition of the porch on the barn. Gretchen Stearns continued that the Site Plan maps will need to show the new well and septic systems on stamped survey maps. Gretchen Stearns asked the applicants if this is their legal residence. Mrs. Martin answered yes and they vote here. Continued until Town of Claverack Zoning Board of Appeals decision.

Foundation for Agricultural Integrity Site Plan Review: Tax Map #(SBL) 141 . - 1 – 53 . 100 Located at 357 County Rte. 12. Site Plan Review for the modification of the original Site Plan adding a farm residence and other farm buildings.