

April 14, 2010

**PINE PLAINS PLANNING BOARD MINUTES  
APRIL 14, 2010**

**IN ATTENDANCE:**

Rick Butler, Chairman  
Donald Bartles, Jr.  
Brian Coons  
Vikki Soracco  
John Forelle, Alternate  
Ken Mecciarello (arrived 7:35 pm)

**ALSO PRESENT:**

Three members of the public  
Sandra David  
Drew Weaver  
Warren Replansky

**ABSENT:**

Sarah Jones  
Kate Osofsky

Chairman Butler called the meeting to order at 7:30 pm. He welcomed John Forelle as the alternate member to the Board. He will be sitting in for Sarah Jones.

**NINA OSOFSKY:** This was an informal discussion with the applicant. She is proposing to open an ice cream shop in brick building located next to the Mountain Cow Café. Osofsky passed out a proposal to the Board members. She stated it would be a walk-in ice cream shop as well as selling Ronnybrook dairy and locally produced baked goods. She stated she would be interested in local, fresh, in-season products for the store. Butler stated she had been to see Drew Weaver and he received a letter from him. Weaver read the letter into the record. Weaver stated this would be best classified as a restaurant under the zoning law. Weaver also advised that the proposal would require site plan review by the Planning Board. He advised her to review the sections of the zoning law on signs and site plan review in order to understand the requirements for her proposal. He also advised she must complete an owner consent form. Butler stated that there is a provision for an informal discussion. Osofsky stated she would use the front two rooms of the building. She will have a bar and some freezers in the main room and also a couple of two-seater tables for customers. She stated the main seating would be outside on the porch and on the front lawn. She stated she would like to fence in the front lawn with a small picket

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fence. She stated that the left room would be used as primary storage. She stated she has an idea to offer arts and crafts projects for children to do while they are there. Bartles asked what the rest of the building is used for. She stated that above and in the back is rental apartments. He asked if there is any access from her area to the back. She stated there is a door in the storage room. He asked if there would be customer access through there. She stated no. Osofsky stated she would like to use the existing signpost and John DePreter would be doing the signage. She stated she would also like to put up to four hanging signs on the porch to advertise the products available. She stated she would like the exterior sign lit until the store was closed. She would be landscaping the front with annuals and perennials. Coons stated he thinks the fence closes off the site. Coons stated he doesn't like the fence idea. Butler stated it would be a delicate balance in finding the right fence to keep small people in but yet not block the visual of the front of the store. Short discussion of the fence followed. Butler stated that the sign package will either be permitted or not under the zoning law and Weaver will decide. She stated she would not be changing the color of the outside of the building. Butler stated that the next step would be reviewing her sketch plan submission with Weaver and talking about signage with him. Butler stated after that she would come to the Board with the sketch plan submission and the Board should be prepared to talk about the actual site plan submission requirements. He stated the Board has the ability to waive or not. He stated the Board should be prepared next month to decide what items they want to see and what items they could live without. Osofsky stated she would like to open Memorial Day weekend. Butler stated that he is sensitive to the situation and would entertain discussion to do what they can but there is a two-meeting process left. Discussion followed. Bartles stated there are administrative issues such as the SEQR that has to be done. Butler and the Board reviewed the submission requirements under the zoning law. Butler advised that she needs to speak with the Board of Health also. Discussion of requirements followed. Butler stated the Board could do without number 8 and could do without contours on a map. Replansky stated the site plan does not require public hearing. Butler stated the details on water supply would not be necessary because they will have Town water. Bartles stated the Health Dept. would ask about the water supply. Butler advised that the Zoning ordinance is on the Town's website and advised Osofsky to look at page 137 section 162 which is procedures for site plan. Bartles advised her to look at numbers 2 through 7, which could be one submission. Butler stated that 8 wasn't needed. Bartles stated that 9 and 10 could be included in the submission also. Bartles stated that 14, 15, and 17 don't apply. Bartles stated that everything could be on one well-drawn submission. Bartles asked if the Board would accept a non-licensed professional

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on the site plan. Butler stated they would waive that. Bartles advised it might be worth it to get a licensed professional. Bartles made a motion to waive the public hearing; second by Soracco. All in favor. Motion carried. Osofsky asked if she could start painting or put everything on hold. Butler stated she could do what she wanted but it would be at her own risk. Bartles stated it may not make the Memorial Day deadline.

**SUSAN LITTLEFIELD:** Littlefield and her partner, Mark Straussman, were present. Butler stated this is less complicated as they are not dealing with change of use. Littlefield and Straussman have leased the former Crumpets restaurant and came to the Board to talk about signage. A letter was received from Weaver stating that signage was the only issue to go before the Board. Littlefield had the owner consent form from Amelio but it was not notarized. Butler advised the form has to be notarized and submitted. Littlefield is working with John DePreter and passed out copies of the proposed signage. Short discussion followed. Bartles made a motion to approve the signage; second by Coons. All in favor. Motion carried. Butler asked them to come up with a narrative to go with the proposal that gives hours of illumination for Weaver.

**DISCUSSION OF DRAFT SUBDIVISION REGULATIONS:** Butler stated the Board has been asked to review these and offer comments this evening. Butler stated he did not intend to go through them page by page. Butler stated he asked Jones if she had comments and she stated she thought they were ready to go as is. Butler asked each member if they had comments. Mecciarello stated he thought they were fine. Bartles stated his comments were answered by the changes that were made. Coons stated his comments were addressed. Soracco had no objections. Butler stated that on page nine, he wondered if it would be appropriate in the minor/major subdivision to make reference to the ZEO's determination whether the project fits the zoning ordinance or not. He stated on page thirty-one there are some questions about the zoning district lines versus boundary lines. Replansky will talk to Franson about changing the wording. Butler stated that on page fifty-three it currently reads the distance between a building and the street line nearest thereto and he wondered if street or property line should be inserted. Replansky will take a look at all the comments and follow up. Replansky stated that there will be a public hearing for further comment. Replansky would like to move ahead with the process. Butler stated that Replansky has prepared a resolution for the Board to adopt the revised subdivision regulations. Butler read the resolution into the record. Roll call vote: Alternate Board Member Forelle: aye, Board Member Mecciarello: aye, Board Member Soracco: aye, Board Member Coons: aye. Resolution is passed and duly adopted.

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**OTHER BUSINESS:** Bartles made a motion to accept the minutes of the March 10, 2010 meeting; second by Mecciareello. All in favor. Motion carried. Bartles made a motion to accept the minutes of the joint Town/Planning Board meeting of March 16, 2010; second by Mecciareello. All in favor. Motion carried.

Butler and the Board received correspondence from Hudsonia. They will be making a presentation to the Town Board tomorrow evening and invited Planning Board members to attend. They will be presenting their habitat-mapping project. They have also offered to schedule workshops with the Planning Board.

Butler advised that a telephone inquiry was received from Parkview. They are looking to abandon their application and receive their escrow monies back. Mr. Hausmann was advised that he needed to submit a formal withdrawal request in writing and that was received via fax. Butler advised that the escrow will be returned after confirmation that there are no outstanding bills.

Butler advised that Proper has sent out several notices for training opportunities. Butler advised that in-county training is pre-approved for reimbursement of travel. If the training is out of county, prior approval is required from the Town Board for reimbursement. Butler stated there is a list of pre-approved training sponsors and all that information is in the Town Board resolution that was passed.

Butler advised that he emailed out the latest version of the site plan applications. He stated that Karen Pineda has converted the Word file to a .pdf file that can be filled out online and printed. Weaver and Proper both have the forms and will be utilizing them. Butler stated that a box for sign approval will probably be added. Butler stated he is still working on a checklist. Replansky stated there is a need for a stand-alone sign application. Short discussion followed.

Replansky stated that he prepared a letter for the Town Board's approval tomorrow night with regard to the NND pre-application. Replansky stated they met with the Durst consultants on Monday with regard to road issues. Replansky stated he advised the consultants they could not give any formal or informal comment on that as it is up to the Planning and Town Boards. Replansky recommended that the applicant put together a presentation as a supplement to the NND pre-application if they desire to get feedback. Replansky stated the applicant does not want to do that.

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Replansky had a referral on an issue from Doug Weaver, as there was a conflict of interest. He stated there are two issues. One is a mobile home park where a substitution of a manufactured home is requested. On another lot he is requesting to place one where there was one previously but doesn't have one now. Drew Weaver felt it was a conflict and referred it to Replansky. Replansky's recommendation is that both applications could happen but require site plan approval.

Replansky stated the Town is hopefully going to be adopting an alternate Zoning Board of Appeals member law. He as redrafted the law, which will give more guidance than the one, previously drafted. He stated the law will change the process for both the Planning Board and the ZBA at the same time.

Butler stated that Sandra David is the Town Board liaison to the Planning Board. Butler stated that he and Proper will be including David on all their full-Board communications and encourages all members to do the same.

Mecciareello made a motion to adjourn; second by Coons. All in favor. Motion passed.

Respectfully submitted by:

Nancy E. Proper  
Secretary

Richard Butler  
Chairman