

July 10, 2013

**PINE PLAINS PLANNING BOARD MINUTES  
JULY 10, 2013  
7:30 PM**

**IN ATTENDANCE:** Don Bartles, Chairman  
Sarah Jones  
John Forelle  
Vikki Soracco  
Ken Mecciarello  
Peter Salerno, Alternate  
Louisa Grassi, Alternate

**ABSENT:** Steve Patterson  
Kate Osofsky

**ALSO PRESENT:** Drew Weaver, CEO  
Two members of the public

Chairman Bartles called the meeting to order at 7:30 pm.

Bartles lead a short discussion of the role of the alternate members. He stated alternates could be used for the purpose of meeting a quorum.

**MURPHY/FITZGERALD LOT LINE ADJUSTMENT:** Wesley Chase represented the applicants. This is for a proposed lot line adjustment for property located at 209 Lake Road. Chase brought a preliminary map for the Board to look at. He stated that the Fitzgeralds own three lots on the south side of Stissing Lake. One is where the residence is and two vacant ones that the driveway crosses over. Chase stated they also have a dock on Stissing Lake and is actually located on Jim Murphy's land. The parties involved agreed to the lot line adjustment for the purpose of getting the dock on the Murphy's parcel. The dock would be added to the parcel where the home is located. Chase stated he looked through the zoning and didn't see where they couldn't have a parcel that is across the road but part of the same tax parcel. Chase stated the only thing he read was not to make it more non-conforming but it is a non-conforming lot as is and this will not make it more so. Bartles stated this is located in the Critical Environmental Area and he noticed the applicant submitted a Long Form EAF. Bartles stated it used to be necessary but he is not sure it still is. Chase stated what he found out from his research is when Pine Plains enacted this CEA anything that came before the Board would automatically trigger the Long Form. Chase stated he believes that was stated in the Town Law when it was passed. Chase stated when he went to the DEC and read about Critical Environmental Areas, that is not the case. Mecciarello asked if one could have a tax parcel divided by a public highway. Chase stated yes. Mecciarello asked if there are any other parcels like this in Town. Chase stated yes and he could pull them up. Chase stated it occurs more in larger parcels such as farms where there is a large lot and the road cuts through it. Jones stated

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property by her is like that. Bartles stated part of the discussion is whether or not this should be referred to the CAC for an opinion. Bartles stated he would like to include them. He asked the Board if that made sense. All agreed. Bartles stated there are several things the Board has the option to do such as waive the public hearing. Bartles asked the Board if they felt a public hearing was necessary. Chase stated that Fitzgerald and Murphy own all the parcels that surround it but obviously if the Board feels the need it is their decision. Bartles stated a copy of the map and application would be forwarded to the CAC for their input. Bartles stated at the next meeting the Board would vote. Chase stated that made sense. Chase asked how much the fee would be. Bartles stated without a public hearing it is \$100. and with a public hearing it is \$200. Motion by Jones to waive the public hearing; second by Soracco. All in favor. Motion passed.

**PINDT/MOSHER SUBDIVISION:** Jennifer Mosher and Wesley Chase represented the applicant. This is for a proposed subdivision located at 5 Poplar Avenue. Chase stated that Mosher and her family have purchased the house on the corner of Lake Road and Poplar Avenue. Chase stated their intention was for her parents to live in the house and to build a house for Jennifer and her husband to live in on the property. Chase stated they would like to do a subdivision of the lot so the house can be built. Chase showed the Board the sketch plan. He advised they haven't done anything with the Health Department yet. Chase stated that process would start soon. Chase stated they have contacted the Highway Superintendent also and doesn't feel there will be a problem on that end. Chase stated the Zoning Law in the Hamlet Residential zone is 20,000 square feet and they are just over that with 20,043 square feet. The dash line on the sketch plan is the building envelope of where the house could be. Chase stated they are within 500 feet of an agricultural operation so an Agricultural Data Statement has been completed and submitted. Chase also submitted a soils map. Bartles asked if this is within the water district. Chase replied yes. Bartles asked if they have approached the Water Company. Chase stated not yet. Bartles stated they would need a letter from him stating that they would have Town water and a letter from the Highway Superintendent about the driveway. Weaver stated they first intended to have an accessory dwelling on the property but it was too large under the Zoning Law and they were advised by the ZBA that it was unlikely they would be granted a variance. Bartles asked when the applicant would be ready for a public hearing. Chase stated, subject to the Health Department, they could do it in August. Bartles asked everyone what their schedule is for August. Forelle stated he would not be available. Bartles stated he would not be here either. Discussion followed. Bartles stated the August meeting would be on the 14<sup>th</sup> and asked the Board if the 21<sup>st</sup> is a possibility. Mecciarello was not sure he was available then. Discussion followed. Bartles stated they would

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discuss this among themselves and come up with a date. Chase stated they would come with the subdivision map, the highway permit, the water permit, the SEQR form filled out and would have the public hearing. Chase stated that hopefully the applicant would be able to get approval subject to Health Department approval. Bartles stated he would be in touch with all Board members and try to reschedule the August meeting. Bartles will advise Chase when a new date is set. Bartles stated there is a sketch plan fee, application fee and public hearing fee totaling \$350. He stated there is a recreation fee of \$3000. due on the new lot.

Short discussion of recreation fees followed.

Bartles stated he would like to talk some more about the Zoning Law changes/recommendations from the last meeting but since the minutes are not available yet, he would like to do this at another meeting.

Soracco made a motion to adjourn at 8:00pm; second by Jones. All in favor. Motion passed.

Respectfully submitted by:

Nancy E. Proper  
Secretary

Don Bartles, Jr.  
Chairman