

July 11, 2012

PINE PLAINS PLANNING BOARD MINUTES
JULY 11, 2012
7:30 PM

IN ATTENDANCE: Don Bartles, Jr., Chairman
Ken Mecciarello
Sarah Jones
John Forelle
Steve Patterson
Vikki Soracco
Peter Salerno, Alternate

ABSENT: Kate Osofsky
Louisa Grassi, Alternate

ALSO PRESENT: Sandra David
Drew Weaver
Gregg Osofsky
Five members of the public

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

THE HUDSON COMPANY: Chairman Bartles opened the public hearing at 7:30 by reading the legal notice. This is a special use permit for a proposed addition of two open-air shed structures, renovation of front entry and installation of louvers on the front windows at property located 2290 Route 199. Greg Korn and Jamie Hammel representing the Hudson Company were present for the public hearing. Bartles asked the applicant to briefly describe the business and what the proposed project entails. Bartles stated that there was a site visit by several Planning Board members. Bartles asked for public comment. Jane Waters stated that this plan is terrific and it will be much more attractive. No further public comment. Bartles stated that several members had concerns whether there was a noise issue with trucks with the existing operation and he stated that he is glad to see there are no objections. Bartles stated he is impressed that this is possibly the second largest employer in Pine Plains. Bartles asked for comments or questions from the Board. None. Soracco made a motion to close the public hearing at 7:35pm; second by Jones. All in favor. Motion passed. Bartles asked the applicant if they had any success with the items the Board had asked them to check on. Korn stated he had some success and is still obtaining additional information. Korn stated he was in touch with D.O.T. and they did a record search and the permit field engineer determined there was never any form of permit issued for a driveway. Bartles stated the email from D.O.T. advised the warehouse was built prior to them keeping records or issuing permits for driveways probably sometime in the 1950's. Bartles stated it seems as if D.O.T. is not

July 11, 2012

going to require anything from the applicant. Korn stated he went to Poughkeepsie to review the records with regard to septic and well. He stated they are being reviewed. Bartles stated he wanted to give these agencies a chance to comment. Bartles stated for the Board's purposes there is well water and there is one bathroom and for the seasonal work they have porta-potties and that seems to be functional. Jones asked how many employees the applicant has. Applicant stated approximately twenty. Bartles stated this project was submitted to the Dutchess County Planning Department and they stated it was a matter of local concern. The Board reviewed and completed the Short Form EAF. Motion by Jones to declare the Pine Plains Planning Board Lead Agency; second by Patterson. All in favor. Motion passed. Motion by Jones to declare this an unlisted action; second by Patterson. All in favor. Motion passed. Motion by Forelle to allow the Chairman to prepare a Negative Declaration; second by Jones. All in favor. Motion passed. Motion by Patterson to declare the SEQR process complete; second by Jones. All in favor. Motion passed. Motion by Mecciareello to accept the site plan as presented and authorizing the Chairman to prepare a resolution issuing a special use permit; second by Patterson. All in favor. Motion passed. Bartles asked the applicant to let the Board know if they receive any information from the Health Department.

PINE PLAINS FINE WINES: The applicant was not present for this discussion. This is for a sign application. The applicant wishes to move an existing sign from his current location to his new location at 2881 West Church Street. Discussion followed. Motion by Forelle to give a waiver to the applicant to move the sign to the new site with the following conditions: 1) if the sign needs repair or replacement in the future, the applicant must come before the Board for approval and 2) the sign shall be placed far enough back as to not impeded site distance and this shall be verified by the Building Inspector; second by Patterson. All in favor. Motion passed. A letter of decision will be prepared showing the conditions and will be sent to the applicant.

JOHN FORELLE: John Forelle recused himself from this discussion. This is a preliminary discussion of a special use permit application for a proposed timber harvest on property located at 468 Tripp Road. Bartles stated according to the Zoning Law any commercial logging operation needs a special use permit, which is a review by this Board. Bartles stated when someone commits their lands to the Forestry Act and then the State determines at what point you have to log it. Bartles stated what role the Board plays is unsure. Bartles stated the State has certain requirements that Forelle has provided and they are demanding that he

July 11, 2012

cuts a certain percentage of the timber. Bartles stated the Forestry Act is basically to keep certain parts of the area in forest. Bartles stated the application provides where the cutting will be done and where the haul roads will be. Bartles stated these have been reviewed and determined by a professional forester. Bartles stated there is a management plan for the harvest. Bartles stated there are endangered and threatened species reports also. Bartles explained that Forelle has recused himself and will not vote on this application. Bartles stated that part of a special use permit application is notification of adjacent property owners and a public hearing. Bartles stated he spoke to Replansky about this and he feels the public hearing is an unwaivable requirement. Weaver stated that each individual tree to be cut will be marked ahead of time. Forelle asked his forestry consultant, Greg DiSilva, to speak to the Board. DiSilva explained the Forestry program and how it works. He explained that a forestry management plan is done by him and then forwarded to the State and they make the final adjustments and approve it. Bartles explained that a public hearing will be set for next month and a SEQR will be completed. Weaver stated he is very impressed with the application package and the presentation. Discussion followed on the haul roads. The Board decided this should be forwarded to the Highway Superintendent for his opinion. Discussion followed on when to schedule the public hearing. As Forelle and Bartles will not be available on the regular August meeting date, it was decided to hold a special meeting on Wednesday, August 22nd at 7:30 for the public hearing. Proper advised Forelle she would email him the fees due.

OTHER BUSINESS:

BIRCH SUBDIVISION: David Birch was present. He is looking for final approval of his proposed subdivision. He presented new maps to the Board. He stated the Highway Dept. decided the existing driveway is not the optimum location for a shared driveway so it was revised. Bartles asked how this changes the lot configuration of what the Board previously looked at. Birch stated it changes a little bit and he showed the Board on the map how things changed. Birch provided a letter from the County Highway Department and a letter from a professional engineer. Discussion followed. Birch suggested a new note be placed on the map, as it was more appropriate to indicate that Health Dept. and Highway Dept. approval is necessary. Bartles stated that three things that were talked about and needed from the applicant in order to approve. One was a letter from a professional engineer stating that septic could be built. This letter was provided by Richard Jones. Bartles stated the public hearing was completed and a SEQR was completed based upon a slightly different lot configuration and asked the Board if

July 11, 2012

it was necessary to reopen. The Board felt it was not necessary to reopen. Bartles stated a letter from Dutchess County Highway was received with regard to the shared driveway being acceptable. Bartles stated that Birch must include sufficient language to say that appropriate rights-of-way or easements for each lot will be included in the deeds as they are prepared. Birch will prepare new maps with the revised note indicated previously. Motion by Patterson authorizing the Chair to prepare a resolution of final approval and also to sign the plat; second by Jones. All in favor. Motion passed. Bartles stated according to the current fee schedule the recreation fees are \$3000. per additional lot created. Birch asked if this was on top of the fees already paid. Bartles stated yes. Bartles stated he doesn't know if there is wiggle room with the fees. Discussion followed. Birch asked when the fees were due. Bartles stated upon signing of the map. Bartles stated he would check further to see if the Board has the right to waive any portion of these fees.

Bartles introduced Gregg Osofsky, Chairman of the CAC. Osofsky stated that the CAC has been working together for about fifteen months and are all fairly new to it. He stated the Board has spent time getting abreast of the issues. Osofsky gave a brief history of their work over the last year or so. He stated that education is a pivotal role of their Board and they have been doing some educational things at local programs. He stated they really care about the Town's wetlands and water resources. Osofsky stated that another of their mandates is to support the Planning and Town Boards and he wanted to reach out formally and say hello and offer their assistance in any way that is appropriate. He introduced the CAC members that were present. Bartles stated that most things require a public hearing and at that time their comment would be appropriate. Osofsky stated they would do their best to have a presence at all the meetings. Osofsky stated that since they will be present on a regular basis they will be more prepared to give public comment when they can. Osofsky stated if the Planning Board needs anything from them to please reach out. Short discussion followed. Osofsky stated it is important for the CAC to understand what the Planning Board can weigh in on and how they can help. He stated the CAC will do their best to know beforehand what those issues are.

Bartles stated that the Town Board has appointed Peter Fairweather as their planning consultant for the NND review. Replansky asked Bartles to reconfirm that they would like Jurkowski, Stolzenburg, Franson and Replansky to remain as the Planning Board consultants. Discussion followed. It was decided that Jurkowski, Stolzenburg and Replansky would be the consultants to the Board at present time.

July 11, 2012

Motion by Patterson to approve the June 13 minutes; second by Forelle. All in favor. Motion passed.

Motion by Patterson to adjourn at 9:00 pm; second by Jones. All in favor.

Respectfully submitted by:

Nancy E. Proper
Secretary

Donald Bartles, Jr.
Chairman