

March 14, 2012

**PINE PLAINS PLANNING BOARD MINUTES  
MARCH 14, 2012  
6:00 PM  
AT THE PINE PLAINS LIBRARY,  
SWEENEY COMMUNITY ROOM**

**IN ATTENDANCE:** Don Bartles, Jr., Chair  
Vikki Soracco  
John Forelle  
Sarah Jones  
Kate Osofsky  
Steve Patterson  
Ken Mecciarello  
Louisa Grassi, Alternate  
Peter Salerno, Alternate

**ALSO PRESENT:** Warren Replansky  
Sandra David  
Drew Weaver  
Ray Jurkowski  
Nan Stolzenburg  
Bonnie Franson  
Jack Grumet, Town of Milan  
Jim Jackson  
Rosemary Lyons-Chase  
George Keeler  
Brian Coons  
Millerton News  
Red Hook Observer  
55 members of the public

Chairman Bartles called the meeting to order at 6:00PM.

**DAVID BIRCH:** The applicant was present for a sketch plan review of a proposed 3-lot subdivision at 618 Bean River Road. Mr. Birch presented his map and proposal to the Board. He stated it is a 20-acre parcel. He wants to subdivide the house off and create a three or four lot subdivision. Birch stated he originally felt three lots but his surveyor stated it would make sense to do four. Birch stated there are issues in terms of site distance on the road. Birch spoke with the Highway Dept. with regard to the site distance and whether he should have separate driveways or a common driveway. He stated the Highway Department is suggesting a common driveway either going to Route 2 or Route 1. Jones asked if the common driveway would be for three parcels. Birch stated it would serve four parcels. Discussion followed. Bartles stated one of the major criteria the Board will ask for in addition to the driveway access is Health Department approval. Bartles stated that Birch has met the area requirements according to the Zoning Law. Bartles stated that Birch would have to speak to an engineer or surveyor to see what can be done with three lots

March 14, 2012

versus four lots. Bartles stated the first decision Birch needs to make is whether he will be going for three or four lots. Bartles stated then he would need to get appropriate advice as to access. Bartles stated that once those issues are resolved, the Board's next step would be doing a SEQRA, a site visit and a public hearing. Bartles stated the Board would need a preliminary map drawn by a professional that could be shown to the public at the hearing. Bartles advised Birch the subdivision cannot be approved until the BOH approvals are in hand. Bartles stated the Board could give preliminary approval subject to Health Department approval. Bartles stated the plat could not be signed until BOH approval. Bartles stated he would like to set up the site visit. It was decided to have the site visit on Saturday, March 31 at 10 AM. Bartles advised that the public hearing would not be scheduled until we hear from Birch. Bartles advised Birch that Proper needs to know two weeks before the meeting.

**EBERHARD/OSOFSKY LOT LINE ADJUSTMENT:** Gary Eberhard represented the applicants for a lot line adjustment for property located at 31 Fabrello Lane. Eberhard submitted a map for the Board to look at. Discussion followed. Bartles stated he assumed the Osofskys were okay with this. The application was signed by Osofsky also. Discussion followed. Bartles asked Replansky about transferring the right of way via deed. Bartles stated this is a legal issue that has to be decided when they transfer the property. Bartles stated the Board could vote this evening subject to the preparation of the merger deeds between Eberhard and Osofsky. Bartles stated Replansky should review those. Replansky stated he would review the maps. Motion by Jones to approve the lot line adjustment conditioned on approval of merger deeds by Replansky and to authorize the Chair to sign the plat once the condition has been satisfied; second by Forelle. All in favor; motion passed.

**T-MOBILE:** Adam Moss of Snyder and Snyder represented the applicant for a proposed co-location on the cell tower located at 54 Pilch Drive. Bartles stated when this was originally approved there were so many co-locations allowed and they are within that number and in that original resolution a site plan approval was required for each co-locator. Bartles stated the Board's main interest is what changes will be made. Moss stated the Town's code favors co-locators. Moss stated T-Mobile's equipment would be located entirely within the compound that is already there. Moss stated there was a photo simulation submitted with their original application. Moss stated the visual impact would be minimal. Discussion followed. Bartles stated that during the last power outage there was no cell service because there was no generator at the time. Bartles stated that the original proposal stated that this would be a

March 14, 2012

lifesaver during power outages so his point is that a generator would be useful. Bartles asked if T-Mobile had any plans to install a generator. Moss stated a small generator is proposed in the equipment area. Moss stated this is for T-Mobile use only. Jurkowski stated there now is a generator for Verizon. Bartles asked for any further comments or questions. None from the Board. It was the consensus of the Board that a public hearing is not necessary. Bartles stated one question the Board always gets from the public is if anything has changed in the science on electromagnetic radiation from additional co-locators. Moss stated speed obviously has changed and become faster. Jurkowski asked if he could review the application to make sure there wouldn't be any issues pertaining to the enclosure with regard to the water system. The Board proceeded to complete the short form EAF. Motion by Jones to declare the Town of Pine Plains Planning Board Lead Agency; second by Forelle. All in favor; motion passed. Motion by Soracco to declare this an unlisted action under SEQRA; second by Jones. All in favor; motion passed. Motion by Mecciarello to declare SEQRA complete and to allow the Chair to prepare a Negative Declaration; second by Soracco. All in favor; motion passed. Jurkowski would like any approval to be conditioned upon Town Engineer review and approval. Discussion of agreement between Global Tower and the Town. Replansky stated that any removal should be conditioned upon the rent increase by Global and a removal bond should be posted. Moss stated he was not sure about that but would communicate with Global Tower. Jones made a motion to give T-Mobile an approval for co-location conditioned upon verification of removal bond and rent increase with Global Tower and Town Engineer review and approval; second by Forelle. All in favor; motion passed.

Motion by Forelle to approve the February 8, 2012 minutes; second by Soracco. All in favor; motion passed.

Bartles stated that Drew Weaver had a few issues to discuss with the Board. Weaver stated that Main Street Café has tables and chairs on the sidewalk and asked the Board for their thoughts. Discussion followed. Weaver stated they are not obstructing. The Board felt the tables and chairs in their present location are not an issue.

Weaver stated the Bank of Millbrook is proposing to move the sign. Discussion followed.

Patterson made a motion to adjourn the regular meeting at 6:55PM; second by Soracco. All in favor; motion passed.

**CARVEL PROPERTY DEVELOPMENT:** This is a joint meeting of the Planning and Town Boards to hear a presentation by Carvel Property Development on the NND application. There was a

March 14, 2012

short break while the applicant set up for their presentation. The joint meeting resumed at 7:10PM. Jennifer Van Tuyl, Dan Stone, Mike Porter and Alexander Durst were present representing the applicant. Brian Coons called the meeting to order at 7:10 PM. He advised that this is a public information meeting and there will be no questions and answers. Alexander Durst gave a presentation after introducing his team. He stated they believe that their application submitted in December 2011 meets all the criteria to approve an NND. He stated there is a lot of open space and buffers to protect important habitats. He stated a new feature of the project is a public walking trail that goes from the hamlet, traverses the entire project and ends at the Lafayette Multiple Use Area at the western boundary. He stated they would have green architecture and building, energy efficient and environmentally responsible construction and architecturally compatibility to other homes in the Hudson Valley. He stated there is a reduction in the number of curb cuts on Route 199. He stated this would bring a lot of jobs into the area in the professional, skilled and unskilled areas. He stated this would increase the tax base for Milan and Pine Plains and attract visitors to the Pine Plains hamlet. Durst gave a brief history of the project from its inception to the present. Durst stated that based on the comments received at the March 2010 meeting and the requirements of the NND, they went back to work and came up with the NND application plan which was submitted in December 2011. Durst stated this plan has 1/3 less units than the original "951" plan. He stated the new plan has much more open space. He stated the old plan had about two dozen curb cuts along Route 199 and the new plan has ten. Durst stated the new plan differs from the pre-application, as there is more open space, there are more acres, there is a trail system, there is a proposed Chautauqua and green building guidelines. Durst stated Chautauquas were popular in the late 19<sup>th</sup> to early 20<sup>th</sup> centuries. The proposed Chautauqua would house artists-in-residence for a short period of time and allow them to show their wares. He stated there also would be a community garden available to the residents of Pine Plains and some areas that will be designated as agricultural fields. Durst stated to support the resurgence of growing and eating locally; they are proposing two areas at the Hedge Farm and Spruce Farm for qualified farmers to lease. Durst stated they have added acreage since the pre-application. Durst then began to go through the 18 criteria for approval of the NND under Section 100-28.B (see attached handout) and how they feel Carvel Property Development has met those criteria in the NND application. The power point presentation is available at:

<http://www.carvelpropertydevelopment.com> under Public Information and Documents.

Durst concluded his presentation by reviewing the changes and benefits of the new plan. Durst stated he doesn't know

March 14, 2012

how long the process will take but projects at least a couple of years. Durst thanked both Boards and stated they would entertain questions. Supervisor Coons stated there would be no questions at this time. Van Tuyl thanked the HOPP for providing refreshments.

The meeting adjourned at 8:15PM.

Respectfully submitted by:

Nancy E. Proper  
Secretary

Donald Bartles, Jr.  
Chairman