

November 12, 2008

**PINE PLAINS PLANNING BOARD MINUTES
NOVEMBER 12, 2008**

IN ATTENDANCE: Don Bartles, Chair
Sarah Jones
Bruce Pecorella
Kate Osofsky
Ken Mecciarello

ABSENT: Jon DePreter
Vikki Soracco

ALSO PRESENT: Three members of the public

Chairman Bartles opened the meeting at 7:30 pm.

MECHANIC: A public hearing was to take place on the subdivision of Alvin Mechanic. There was no one present to represent the applicant. Short discussion on the subdivision followed. Short discussion on how to proceed. Bartles opened the public hearing by reading the legal notice. Bartles stated that a representative of the applicant was not present and he would keep the public hearing open and conduct other business giving the applicant a reasonable amount of time to show up.

JENNIFER CASALE: The applicant was not present.

PINE PLAINS FORD TRACTOR: Walter Wesarg was present. Bartles advised that the Board had received information about the replacement of signs and discussed same at the previous meeting. Bartles stated the Board understood what the applicant was asking to do. Wesarg presented photos of proposed signs to the Board. The photos were reviewed by the Board with Mr. Wesarg. Osofsky asked if he was asked to change the sign. Wesarg stated it was a mandate from the company. He stated if he wants to remain a dealer he has to comply and this is what is available. Bartles stated the Board was concerned about the large free standing sign and asked if there was any flexibility with the sign. Wesarg asked what the objection was. Bartles stated size. Bartles advised that the sign exceeds the height in the Site Plan regulations. Pecorella stated the height was a concern and moving it back from the right of way. Wesarg stated he has to move it back. Jones stated the Town Design Standards do not permit a sign over 15 feet high and the square footage would also be too large. Wesarg stated he would need a variance. Bartles stated either a variance or other options that would be available from the company. Wesarg stated this is what the standard is and he already went through all this with the company. Pecorella stated they must have some other options. Jones stated that Pine Plains isn't the only town that has sign standards. Bartles stated that they are allowed one free standing sign that may be double faced but all signs must be erected at minimum of 15 feet from any roadway edge and the maximum height shall be 15 feet. Wesarg asked what would need to be done to get a variance on the sign. Bartles stated that he would have to convince the Board that there isn't another option from the company. Bartles

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stated it is something that has to be formally reviewed. Bartles stated the Board would have to have a public hearing and he doesn't think they would be able to approve it without getting a lot more information. Wesarg asked if that meant all neighbors and Bartles replied it would be all the public. Bartles stated he wants Wesarg to advise the company that the Board is reluctant to approve this variance. Osofsky advised that the company can go to the Town website and view the Design Standards. Jones stated that they are trying to keep the signage consistent with the Comprehensive Plan which is trying to keep a rural, small-town feeling. Jones stated that this sign is out of place. Osofsky asked if it is illuminated at night. Wesarg stated yes. Bartles stated that the Board has to stay within the regulations that are in place now. Jones stated she knows. Bartles stated that the Town bills itself as an agricultural community and this is not only a long-standing business but really representative of the agricultural community. Bartles stated he didn't mind the sign; he didn't particularly like it but wouldn't vote against it but would like to see it brought down to a reasonable scale. Bartles stated that the company knows they can't run roughshod through every town and this is probably an easier town than most so he would like to know if there are alternatives available. Osofsky stated that she is sure there are other towns that have regulations also. Wesarg stated that what he presented is all that is available. Jones stated that the size of the face of the sign also exceeds the Design Standards as it can't be more than 24 square feet and the proposal is 52 square feet. Bartles asked Wesarg to let the Board know as soon as possible how he makes out with his discussions with the company.

TAMARA PLASSMAN: The applicant was not present.

Jones asked what the status of Paraco was. Bartles stated as far as he knows they don't have the escrow in place and cannot be on the agenda until that is taken care of. Bartles stated the public hearing was not closed. Proper stated that she didn't think the applicant completed the full EAF as requested either. Bartles advised he is waiting for Replansky to give the go ahead to continue the review.

CARL TRAVIS: Travis stated he emailed Proper advising what he wants to do. Bartles asked him to run it by the Board quickly. Travis stated he wants to change the apartment to a commercial space. He advised that Drew Weaver wrote him a letter giving him the variance from the moratorium. Letter was received by the Board. Travis stated there is two apartments upstairs and commercial space in the rear. He stated the front was an apartment and he would like to return it to a commercial space. Osofsky asked if he has a tenant. Travis stated he has a potential retail client who is very low impact. He stated there is parking in the front and back. Bartles asked if he would be remodeling. Travis stated he would need to change the lighting. Travis stated he would also need to place a sign. Pecorella asked what kind of retail store he is looking at. Travis stated it would be a retail gift and flower business. Bartles asked if the Board felt it needed to go through a complete site plan review. He stated it is a commercial building according to the assessors. Travis stated there would be no structural changes. Pecorella stated he thought it was a good thing. Bartles stated he would entertain a motion that this does not fall under the site plan law. Pecorella made a motion that this does not need site plan

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approval as it does not fall under the site plan law; second by Jones. All in favor. Bartles stated a letter of decision would be sent to Weaver.

MECHANIC PUBLIC HEARING: Bartles stated the public hearing was still open and obviously the applicant was not coming. Bartles stated he felt the Board should close the public hearing and reschedule it. Pecorella stated he felt it should be left open because once you close it you can't reopen it. Short discussion followed. Bartles asked the Board what they would like to do. Bartles stated if it is closed and done next month it would have to be re-advertised at the applicant's expense. Pecorella made a motion to close the public hearing; second by Mecciarello. All in favor.

Proper advised that she amended the July 23rd minutes as requested by Jones and the October 8th minutes also needed approval. Motion by Jones to accept the July 23rd and October 8th minutes; second by Mecciarello. All in favor.

Motion by Pecorella to adjourn; second by Mecciarello. All in favor.

Respectfully submitted by:

Nancy E. Proper
Secretary