

May 14, 2008

**PINE PLAINS PLANNING BOARD MINUTES
MAY 14, 2008**

Workshop portion of the meeting began at 6PM.

Stolzenburg stated she went through the public comment and separated things out as to individuals versus organizations or consultants. She stated that in addition to the professionals, there were 169 individual public comments. She stated she and Jurkowski met and talked about how to organize the comments. She stated that she requested, through Replansky, a digital version of the original response matrix because many of the comments are still valid and mirror the things that have been brought up in the public comment period. She stated that Replansky had spoken with someone at Carvel to get a digital copy of the matrix. Dan Stone advised they would be willing to give her a digital copy but she has not yet received it. Stolzenburg stated that she and Jurkowski have been reviewing the comments in the context of which chapters they reviewed. Stolzenburg stated she contacted the Hudson Group and requested to get a consultant looking at the substantive comments. Stolzenburg stated that she believes they have everything in and that Proper hasn't any others that she hasn't copied and sent. Stolzenburg stated that there has been talk that there will be something else coming from the applicant but there has been nothing formal. She stated that the Board needs to move forward as they are technically obligated. She stated the timeframe for the SEQR is 45 days from the end of the comment period and the response to them. She stated there is no way to digest, comment and respond to all of the substantive comments received so there should be a request by the Planning Board to Carvel to mutually understand that the 45 day timeframe is not beneficial to adequately respond to the comments. She stated that Replansky advised that the SEQR timeframes are not set in stone due to the moratorium. Stolzenburg asked if the Board would be willing to send out a formal request to Carvel to extend the 45 day timeframe. She stated Replansky also concurred that the Board should do so. She stated the timeframe can be mutually extended. Bartles stated that a letter was received from DOT stating that Carvel has applied for the permit and the State has acknowledge that and are now starting to prepare their comments. Bartles asked how that is addressed. Stolzenburg stated she is not sure but thinks that involved agencies can comment on the DEIS outside of the public timeframe but she would double check on that. She stated that each involved agency does their own findings statements and draws their own conclusions. Bartles stated that DOT's comment is a critical part of the Board's review. Bartles stated he talked to Dan Stone and he advised that they had applied for the permit. Stolzenburg offered to contact them to see where they are at. Stolzenburg stated she would ask Jurkowski to follow up with DOT. DePreter made a motion to formally request from the applicant an extension of the 45 day timeframe; second by Jones. Bartles stated that he and Replansky can draft the formal request and present it. Stolzenburg stated the Board had requested an additional consultant to review the comments received on Chapter 7 which is the visual resources chapter. She stated that as per the escrow agreement, the Board has to notify the applicant that another consultant may be brought on. She asked if the Board wanted to act now or wait. Bartles

May 14, 2008

stated he would like to have something to support the methodology in that particular chapter. He stated that shouldn't be a large expense. Stolzenburg stated that ten hours should be sufficient. Stolzenburg stated if the Board wants to proceed they should send the request over to Jon Adams and make sure Replansky has done everything he needs to. Bartles recommended this be presented to the applicant for a response. Stolzenburg stated she would include this request with the timeframe extension request. Short discussion followed on next steps to either an SEIS or an FEIS. Jones stated that with the supplemental the public has another opportunity to be heard and she feels they are entitled to that. Stolzenburg stated the supplemental would be treated just like the draft. DePreter stated he would like to have a list of the Board's concerns and alterations they would like to see to the project made available to the applicant and the Town Board. DePreter gave a short update on what the Town Board discussed at their workshop meeting concerning zoning and how it relates to this project. Stolzenburg stated she feels that discussions with the applicant are necessary to see if they want to rethink the project. DePreter stated that DEC, Dutchess County Planning and the Dutchess Land Conservancy all had the same comment that this is not a conservation subdivision. Stolzenburg gave the Board a handout showing the standard technique and accepted methodology for doing a conservation subdivision. Stolzenburg went over the techniques and methodology with the Board. Discussion followed. Stolzenburg gave a handout of nine principles gleaned from the various comments that came in. She stated it is very general and doesn't address some other issues such as visual resources or fiscal impact. She stated the Board needs to come up with some concrete things to take to the applicant. Discussion followed on preserved open space. Stolzenburg stated that you can't design a conservation subdivision around a road system. DePreter discussed how the proposed zoning would impact the project. Discussion followed. Stolzenburg stated it would be very helpful for the Board to put on paper and put in the record what direction they want to see the project go regardless of what the zoning says. Bartles stated he isn't ready to start throwing things out and creating that document. Stolzenburg asked what he needs to be ready. Bartles stated he needs more time. Bartles stated he feels the Board should offer the applicant a workshop meeting with the consultants. Stolzenburg stated she needs to know what direction the Board wants to take before she can represent them. Stolzenburg stated there has to be honest communication and discussion. DePreter stated the Board needs to give the applicant some direction on why the current plan doesn't work. DePreter suggested that the Board take the comments that have a consistent theme as to why the project doesn't work and use them. Jones stated that the Lead Agency, zoning or no zoning, has an obligation to protect the environmental quality of this piece of property. Jones stated that some excellent expertise has been presented that the Board can work off of. DePreter stated he doesn't see the point in having a meeting as the Board hasn't come up with a list of reasons why the plan doesn't work. Stolzenburg suggested distilling everything down to the major points and advising the applicant what they need to do to protect the environment. Bartles asked the Board when they felt they could start having discussion so they could have a special meeting. Discussion followed. It was decided to have a special workshop meeting on Wednesday, June 4 at 7:00 pm. for further discussion.

The regular Planning Board meeting convened at 7:30 PM.

May 14, 2008

ARTHUR HYDE: Mike Leary represented the applicant for a lot line adjustment. He presented a map to the Board. Discussion followed. Motion by DePreter to approve the lot line adjustment; second by Osofsky. All in favor. Bartles advised that the Health Dept. needs to review before it becomes final. Leary advised he would stop the following Wednesday to pick up the signed maps and drop off the fee.

STISSING FARMS: John Reilly represented the applicant. Reilly presented a map to the Board. Reilly advised that the applicant was seeking an extension of site plan and a revision of site plan. Reilly advised that he asked Jurkowski to come out in advance of the meeting. Jurkowski came up with some suggestions. Reilly advised he sent Replansky a summary of what they wanted to do and had not heard from him. Reilly stated the site plan approval runs out in July of 2008 and they are requesting a three year extension. Reilly stated they were 22 months in with infrastructure completion and model completion before they could go to sale. He stated the last 14 months was not a good time to go to market. He stated they have adjusted their units accordingly in response to what they have been told. Reilly stated that he looked into the market locally to see what was for sale and what they were doing. He stated The Woods in Rhinebeck is a project that is working well and selling rapidly. He said the things about that project that are working well are mature landscaping, solid doors, thicker moldings, and a feel of solidness that other projects didn't have. They have adjusted their units accordingly and are making sure the landscaping comes across as more mature with some 12 year old trees. Reilly stated the marketplace is still a struggle and that is why they need the extension. Bartles asked what the implications were as far as the offering plan. Reilly stated it goes year to year and gets amended from time to time for pricing changes and tax assessments. Discussion followed. Motion by Jones to grant a three year extension for site plan approval; second by DePreter. All in favor. Discussion of the revision of site plan followed. DePreter stated it looked as if Jurkowski had five comments that needed to be incorporated into the site plan. Reilly stated yes. Reilly stated all the storm water improvements on the project are already in place. Bartles questioned whether to do the approval by resolution or by motion. Bartles stated he would just as soon do a motion authorizing him to sign an approval based upon the plan as submitted and the conditions set forth by Morris Associates. Motion by DePreter authorizing Bartles to sign the approval based upon the plan submitted and the conditions set forth by Morris Associates; second by Jones. All in favor.

ROBERT HEDGES: Mr. Hedges was present with regard to a lot line adjustment. He showed the Board what he would like to do on a map. Hedges advised that he has a meeting the following day with the Highway Superintendent to look at the driveway situation. Discussion followed. Hedges stated he would hopefully have a letter from the Highway Dept. the following day. Motion by DePreter to allow Bartles to sign the plat with the appropriate letter received from the Highway Dept. regarding the driveway; second by Osofsky. All in favor.

CHRISTINE CLAYTON: This for a proposed 2 lot subdivision on County Rt. 83. They are coming in for sketch plan approval in order to go to the County and ask for a

May 14, 2008

driveway entrance and health department approval. (*Overlapping, unintelligible conversation followed.*)

OTHER BUSINESS:

Bartles advised the Board that there is a question before the Board as to whether a soft ice cream shop would be allowed. Bartles stated he feels it should go to the Building Inspector and have him do the moratorium variance decision.

Motion by DePreter to approve minutes of April 8 and April 9, 2008; second by Osofsky. All in favor.

Motion by DePreter to adjourn; second by Jones. All in favor.

Minutes transcribed by Nancy E. Proper
Secretary
(Not in attendance at the meeting)

Don Bartles, Jr.
Chairman