

July 9, 2020

**PINE PLAINS PLANNING BOARD MINUTES
WEDNESDAY, JULY 8, 2020
7:30 PM**

Via Zoom and Broadcasted to YouTube

IN ATTENDANCE: Michael Stabile, Chairman
Dick Hermans
Kate Osofsky
Vikki Soracco
Jane Waters
Peter Salerno, Alternate

ABSENT: John Hoffman, Alternate
Ken Meccariello
Steve Patterson

ALSO PRESENT: Sarah Jones, Town Liaison
Drew Weaver, ZEO
Warren Replansky, Town Attorney
Matthew D'Amato, Applicant
Dale Mitchell, Applicant
Marie Welch, McLiverty's Land Surveyor

Chairman Stabile opened the meeting at 7:35 pm with a quorum present.

Stabile reminded everyone that this meeting was being held via Zoom in accordance with the governor's executive order 202.48, which extended his executive order, pertaining to the open meetings law for the state of New York.

Approval of June 2020 Minutes: Motion by Waters to accept the June minutes, second by Osofsky, all in favor, minutes accepted.

McLiverty Lot Line Adjustment: Stabile asked Marie Welch if there is an updated map and she replied yes that it was submitted on the 23rd of June. Stabile then asked Welch to confirm that the only changes were additional information, such as the house and the distance to the side lot line. Welch replied yes, and a few minor corrections. Stabile asked if there were any outstanding issues regarding the deeds and Waters replied that there was a merger deed sent by email today. Welch apologized for the late delivery of the deeds, as she was not sure what was needed prior.

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Stabile asked Replansky to confirm that everything was OK with the merger deed and the updated map and Replansky replied correct. Replansky said he prepared a resolution but that the reference to SEQR could be taken out, since he and Stabile decided it is a Type II action. Stabile then read the resolution (see attached). Stabile then asked for a motion to enact the resolution. Motion by Hermans, second by Waters, all in favor, resolution approved.

D'Amato Site Plan Approval: Stabile asked D'Amato to go over his application. D'Amato explained that he would like to turn the garage of his mother's house into a studio. He mentioned that the footprint of the house would not be changing. The front would be closed off and plumbing put in. He knows the planning board needs to look at the amount of parking and he feels there is adequate room for the parking of their three vehicles.

Stabile asked about any board of health issues and D'Amato replied that they went through a lot with the BOH, but Weaver should have in writing that nothing is required. Weaver replied that he does have it.

Stabile then asked Weaver if there were any issues or comments that he would like to make and Weaver replied no, but explained that D'Amato is converting a single-family dwelling to a two-family dwelling, which requires a site plan approval. Weaver also mentioned that he wrote to the BOH and explained what the applicant wanted to do and asked if that required a "change of use" permit. Weaver said the BOH responded that if no bedrooms were being increased, or the moving of a raw sewer line, then BOH approval was not needed, but that the current septic system should not be encroached at all.

Salerno asked if it constituted the adding of a bedroom and Weaver replied no because the applicant was taking away one bedroom in the main area of the house. Salerno then asked if notification to neighbors was required. Stabile asked Replansky and he replied that he needed to recuse himself since one of the owners is a secretary of his. Replansky then asked Weaver if the zoning code requires a public hearing for a site plan approval and Weaver replied that it can be waived.

Stabile asked for a motion to waive the public hearing, motion by Waters, second by Osofsky, all in favor, public hearing waived.

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Stabile then asked if the application was satisfactory for what is needed for a site plan. Replansky said he would like Ray Jurkowski to weigh in on that unless Weaver could answer. Weaver replied that he felt the board or Jurkowski should decide.

Salerno feels a map is not needed to know what is going on, especially since there is not going to be a change and Hermans agreed.

Stabile then asked Weaver what the parking regulation is, and Weaver replied that that the board is tasked with determining if there is adequate parking.

Stabile then expressed concern over the resolution and Replansky recusing himself. Replansky replied that if the board understands the conflict he has, and if the board agrees upon the resolution, then he can write the resolution, but he does not have it ready tonight.

Stabile then asked D'Amato his time frame. D'Amato expressed that he would like to start the work as soon as possible, as he has already been delayed for quite some time.

Replansky said he can only have the resolution by the next meeting unless the board would like to hold a special meeting.

Salerno asked if there needed to be a certain amount of notice about the special meeting under the open meetings law. Replansky replied that it needs to be posted and that if it is more than seven days from the current meeting, then a notification needs to be placed in the newspaper. A special meeting was scheduled for Monday, July 20th.

A motion was then made by Salerno to waive Replansky's conflict, second by Osofsky, all in favor, motion carried.

Waters then asked if meetings could be held at town hall since the county had entered phase 4 of reopening. Replansky said it was up to the board. Stabile reiterated that the open meetings executive order had been extended.

Mitchell Lot Line Adjustment: Stabile asked Replansky the status of everything, map changes, deeds, etc. Replansky replied that he is fine with everything. Replansky said the only thing he is missing now is a maintenance agreement from Mitchell. Replansky said he prepared a conditional resolution so that it

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may be approved tonight without that one document. Stabile then read the resolution (see attached). Motion by Hermans to accept the resolution, second by Osofsky, all in favor, motion approved.

Other Business: Stabile asked if anyone has been able to take any continuing ed courses. Waters replied that she was having issues logging onto the Dutchess County website to complete them. Stabile offered some suggestions for logging on or to wait until they are held in person.

Stabile then asked Weaver if he had replied to Jane Hottensen's complaint regarding her property on Carpenter Hill Road and the horse farm near her with fountains, etc. at the front entrance. Weaver replied that he had not yet but would. Some of the board members expressed liking the statues and waterfall, hence leading to the conclusion that the matter was one of personal taste. Weaver also mentioned that the new signs were replacing previous signs. Stabile said the only board issue would be if there was lighting, which there is not.

Motion by Osofsky at 8:26 pm to adjourn, second by Hermans, all in favor, meeting adjourned.

Respectfully submitted by:

Tricia Devine

Michael Stabile

TOWN OF PINE PLAINS PLANNING BOARD

**RESOLUTION GRANTING FINAL CONDITIONAL APPROVAL TO McLIVERTY LOT
LINE ADJUSTMENT/MINOR SUBDIVISION**

WHEREAS, Elizabeth McLiverty (“McLiverty”) and Frank Lambraia and Damaris Ingenito-Lambraia (collectively “Lambraia”) have made application for a lot line adjustment/minor subdivision (“subdivision”) for properties located at 4 Cedar Drive and 10 Cedar Drive, having tax map numbers 6872-17-059130-0000 and 6872-17-071113-0000; and

WHEREAS, the application proposes to convey a .208 acre strip of land from the McLiverty property adjacent to the Lambraia property to Lambraia, all as shown on a plat entitled: “Lot Line Adjustment Prepared for Frank Lambraia and Damaris Ingenito-Lambraia and Elizabeth McLiverty, Town of Pine Plains, Dutchess County, New York”, dated May 26, 2020 and prepared by Welch Surveying, Marie T. Welch, L.S.; and

WHEREAS, the subdivision application proposes that the property conveyed by McLiverty to Lambraia will be merged with the property owned by Lambraia; and

WHEREAS, this matter came on to be heard by the Planning Board at the June 10, 2020 Planning Board meeting; and

WHEREAS, the Planning Board reviewed the subdivision application in accordance with the requirements of §230-8 of the Town Code and determined that a public hearing need not be conducted; and

WHEREAS, the Planning Board has determined that this is a Type II action under SEQRA, not requiring environmental review; and

WHEREAS, the applicant has submitted a proposed Subdivision Map in final form to the Planning Board on July 8, 2020 which has been reviewed by the Planning Board and the Planning Board's Engineer and Attorney and have determined that the proposed Subdivision/Lot Line Adjustment Map is acceptable and ready to be approved by the Planning Board in final form; and

WHEREAS, the applicant has submitted to the Attorney to the Town a proposed Deed from McLiverty to Lambraia and a proposed Merger Deed for Lambraia, which will consolidate the portion of the property being received by Lambraia with the remaining parcel owned by Lambraia and the Attorney to the Town has determined that the Deeds are acceptable.

NOW, THEREFORE, be it

RESOLVED, that the Planning Board hereby grants final approval to the said subdivision/lot line adjustment and authorizes the Planning Board Chairman to sign the Subdivision Plat subject to the following terms and conditions:

1. That all escrow fees accrued for review of the application by the Town Engineer and Attorney to the Town and all filing and recreation fees be paid in full prior to the signing of the subdivision map by the Planning Board Chairman.

2. That the Deed from McLiverty to Lambraia and Merger Deed from Lambraia to Lambraia be filed in the Office of the Dutchess County Clerk within seven (7) working days of the filing of the subdivision map, with proof of filing being provided to the Planning Board and the Attorney to the Town.

This motion was offered by Planning Board member Dick Hermans and was seconded by Planning Board member Jane Waters.

The Planning Board members voted as follows:

Michael Stabile, Chairman	Aye
Dick Hermans	Aye
John Hoffman III, Alternate	Absent
Ken Meccariello	Absent
Kate Osofsky	Aye
Steve Patterson	Absent
Peter Salerno	Alternate
Vikki Soracco	Aye
Jane Waters	Aye

The Resolution was carried by a vote of five of the Planning Board members on July 8, 2020.

**TRICIA DEVINE, PLANNING BOARD
CLERK, TOWN OF PINE PLAINS**