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PINE PLAINS PLANNING BOARD MINUTES
Wednesday July 28, 2021
7:30 PM
Via Zoom and In Person

IN ATTENDANCE: Michael Stabile, Chairman
Ethan DiMaria, Alternate
Dick Hermans
Kate Osofsky
Ken Meccariello
Steve Patterson
Peter Salerno
Vikki Soracco

ABSENT: Al Blackburn, Alternate

ALSO PRESENT: Sarah Jones, Town Liaison
Ray Jurkowski, Town Engineer
Warren Replansky, Town Attorney (*via zoom*)
Drew Weaver, Town ZEO
David Birch
Wesley Chase
Erin Hoagland, Dutchess Land Conservancy
Two Members of the Public (Lundys)

Chairman Stabile opened the meeting at 7:40 pm with a quorum present.

Birch Major Subdivision Pre-application Discussion: Birch showed the board a map of his previously approved 20 acre parcel subdivided into 3 lots from ten years ago. Birch said after his approval it didn't make sense to sell due to the market, so the house on the parcel was rented out. He decided this past spring to go ahead with the previously approved subdivision. Stabile said the maps were never filed and Birch replied correct.

Birch said an adjoining 4 acre parcel with a house came onto the market, which was purchased. Because of this he feels it makes more sense to subdivide the entire parcel, instead of the 3 lots. Birch said he proposed a 7 parcel subdivision, but didn't realize the conservation subdivision was in the zoning law, which complicated things. Birch showed a potential conservation subdivision map and said the effect would be a bunch of small lots, which could lead to problems with well and septic systems. Birch would like to receive a waiver on the conservation

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subdivision because he feels the traditional subdivision makes more sense.

Birch then showed the original subdivision map and said there is a house on parcel one. Hermans asked if there was another house on the property and Birch replied his house is on parcel six and it is rented out.

Hermans asked about Prospect Hill Farm located next to the property and Birch replied it was vacant land.

Stabile asked Jurkowski if he was able to review the maps. Jurkowski said at the previous board meeting he asked for the maps to be updated to show the houses on the property. Birch said he forgot to tell his surveyor that information.

Osofsky said aesthetically from the road the traditional subdivision was more appealing.

Stabile asked about the cul-de-sac feature on the map. Birch replied if the driveways were extended to the road he assumes easements would be provided.

Stabile asked Jurkowski if this is how the conservation subdivision would have to look and Jurkowski replied there are many ways to do the conservation subdivision. Jurkowski said not all projects lend themselves to be a conservation subdivision. The reason he wanted the planning board to go through this process is it is very clear in the zoning that a conservation subdivision should be provided to the planning board to consider.

Stabile asked if the parcel is deemed conservation can you not do anything on it, including septic, and Jurkowski replied correct.

Stabile asked Replansky what the next step should be. Replansky said the board is required to go through the criteria of the waiver of a conservation subdivision

Hermans asked Jurkowski how the four driveways would be designed, since he feels the county would not approve a cul-de-sac. Jurkowski said he could request a common driveway that would only require one curb cut.

The board then went over the conservation subdivision zoning code with Replansky.

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Hermans said the conventional subdivision proposed has the advantage of only two curb cuts instead of seven. Birch said the county highway department said they can only have two curb cuts because of sight distances.

Hermans said due to the shape of the property, how else could a conservation easement be done, have curved lines instead of straight. There isn't much to change about it and still come up with seven parcels, unless the applicant wanted to say how about three parcels.

The board then discussed the goals of the comprehensive plan pertaining to subdivisions. Chase said after being on the comprehensive plan committee you would like to look at the total build out, how big each individual lot is, how big are the houses allowed there by the zoning once the steep slope calculations are taken out, as well as wetlands and open water. From there look at that number from the proposed seven and how big of a transition is that. Knowing this information will make it easier to work with an applicant.

Jurkowski said based on the layouts it seems like some board members are favoring the traditional subdivision and that is the planning board's purvey to do that.

Stabile asked if there are any wetlands and Birch replied there is a small pond. Stabile asked Jurkowski if he had a chance to check this and Jurkowski replied yes and it is not a DEC wetland. Jurkowski said it would be an army corps of engineers, since it is a water feature, but otherwise no other restrictions.

Stabile asked Jurkowski how the placement of the houses is decided. Jurkowski said as the process continues the applicant will have to go for health dept. approval. He feels the applicant should start that process soon as well as show the driveway locations, all the grading on the parcels, proposed house locations, and septic.

Replansky said even if the board approves a conventional subdivision they can still require protection of open space. He said the lots could extend back and have a no build zone.

Stabile said it seems like the board is looking to grant Birch the waiver for the conventional subdivision.

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Jurkowski said once the planning board grants the waiver it is up to the applicant to go back and look up the zoning and subdivision requirements and provide all the information, as well as, start the process with the health department and dept. of public works. Jurkowski also said that the topography will be required on the subdivision plat. Jurkowski said this is different than other subdivisions that the planning board has seen because this is considered a major subdivision so the amount of information required is greater. Stabile asked if the amount of open space and vision from the road should also be shown and Jurkowski replied yes.

Stabile asked for a motion to allow the applicant to go ahead with a conventional subdivision, motion by Osofsky, second by Patterson, all in favor, motion carried.

Hermans asked Birch when he does the layout to think about open space.

Koch Lot Line Adjustment Preliminary Discussion: Wesley Chase, who was representing the applicant, explained to the board the application. Chase said there is an 86.45 acre parcel lot on which the applicant's house sits.

Chase said lot 2 was recently sold. Chase said Koch has an offer on Lot 1. Koch is looking to get more protection around his house so parcel B would be conveyed to his house parcel and would disappear from lot 1. Lot 1 starts with 82.20 acres and would become 75.12 acres. Lot 1 has no septic, house, or infrastructure.

Chase said they are just changing where the lot lines are, not adding any structures. One lot is getting bigger and one lot is getting smaller.

Stabile asked Replansky if he was able to look at this application. Replansky replied yes and thinks it looks fine and that the public hearing can be waived and also does not require a 239N referral. Replansky said a merger deed would be required.

Stabile asked for a motion to declare the planning board lead agency, motion by Hermans, second by Patterson, all in favor, motion carried.

The board then went over part 2 of the SF EAF and a negative declaration was declared.

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Stabile then asked for a motion to waive the public hearing, motion by Meccariello, second by Hermans, all in favor, motion carried.

Stabile then asked for an application to approve the application, motion by Hermans, second by Patterson, all in favor, motion carried.

Boyles Lot Line Adjustment: Wesley Chase, representing Jim Boyles, the applicant, explained the application. Boyle had previously appeared before the board and believed he had preliminary approval for the lot line adjustment. Boyles didn't realize he needed to appear before the board again with the finalized maps. Boyles' neighbor did deed over the piece of land since his last appearance before the board.

Chase said they are now trying to rectify the situation by having a map filed and having board approval.

Hermans asked if anything was on the land being deeded over besides soil, Chase agreed there was not.

Stabile asked Jurkowski if he had any comments. Jurkowski said it was pretty straight forward.

Stabile asked Replansky if it mattered that the applicant already had the land deeded over in terms of board approval. Replansky said the board can go ahead and approve it, but he would like to see the merger deed.

Stabile asked for a motion to declare the planning board lead agency, motion by Osofsky, second by Meccariello, all in favor, motion carried.

Stabile asked for a motion to waive the public hearing, motion by Patterson, second by Hermans, all in favor, motion carried.

The board then went over part 2 of the SFEAF and a negative declaration was declared.

Stabile asked for a motion to approve the application, motion by Hermans, second by Patterson, all in favor, motion approved.

Dutchess County Land Conservatory: Erin Hoagland from Dutchess Land Conservancy explained that they are working on an application to New York State's Ag & Markets to purchase a part

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of Cedar Ridge Farm to protect it. Part of the process involves a letter signed by the planning board chairman.

Hoagland then showed a map and explained a bit about the property.

Hermans asked if the farmstead areas are fixed to the locations shown. Hoagland replied that they are.

Stabile asked what can be put in the farmstead area. Hoagland replied that the farmstead area untimely falls to zoning regulations, but residential structures, accessory structures, etc., as much as needed. There are certain percentages that need to be followed. Hermans asked what would happen if someone violated that, i.e. built a road that is 8 lanes wide. Hoagland replied that there is yearly monitoring so the likelihood of that is low.

Stabile asked Weaver how he interfaces with these types of things, does it go on a map. Weaver agreed that they do.

Stabile asked Replansky if he was able to review the letter sent. Replansky replied that he had and it looks fine.

Stabile asked for a motion to approve the signing of the letter, motion by Patterson, second by Osofsky, all in favor, motion carried.

Approval of May Minutes, May Special Meeting Minutes, June Minutes, June Special Meeting Minutes: Stabile asked for a motion to approve the May meeting minutes, motion by Patterson, second by Soracco, all in favor motion carried. Stabile asked for a motion to approve the May special meeting minutes, motion by Hermans, second by Patterson, all in favor, motion carried. Stabile asked for a motion to approve the June meeting minutes, motion by Patterson, second by Hermans, all in favor, motion carried. Stabile asked for a motion to approve the June special meeting minutes, motion by Patterson, second by Hermans, all in favor, motion carried.

Other Business: Hermans asked if he can say something at the next scoping session for the Hudson Valley Project. Stabile said that after all the public comments are gathered the planning board will give their comments as well. Jones said that a planning board member, though, could certainly speak as a member of the community.

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Hermans asked since the DEIS now is for residential properties why wouldn't the scoping time frame be reset if Durst came back to the board with plans for a hotel as well. Stabile thinks it needs to be in the scoping and he believes it is in the scoping now as an alternative.

Hermans feels as far as the public is concerned the hotel plan is not really on the table. Stabile thinks Hermans should speak to the town's planners regarding his concerns.

Jones said one issue with the prospect of a resort is the current zoning law doesn't make one possible in terms of size. Jones said the rezoning issues have addressed that, but she isn't sure if that is sufficient or not. Jones thinks if it did go to a resort configuration a great deal of time would transpire before that happened. Jones thinks the new zoning requires a resort to have a 100 acres and that would take away from the residential aspect.

Stabile was wondering if the golf course is considered open space and if that is factored into their calculations.

Stabile mentioned board members should try and get their training done.

Motion to adjourn at 8:53 pm by Patterson, second by Hermans, meeting adjourned.

Respectfully submitted by:

Tricia Devine

Michael Stabile