

July 14, 2022

**PINE PLAINS PLANNING BOARD MINUTES**  
**Wednesday July 13th, 2022**  
**7:30 PM**  
**In Person and Zoom**

**IN ATTENDANCE:** Michael Stabile, Chairman, in person  
Ethan DiMaria, via Zoom  
Dick Hermans, via Zoom  
Steve Patterson, via Zoom

**ABSENT:** Al Blackburn, alternate  
Ken Meccarieollo  
Kate Osofsky  
Vikki Soracco

**ALSO PRESENT:** Warren Replansky, Town Attorney, via Zoom  
George Schmitt, Town Engineer, In person  
Drew Weaver, ZEO, via Zoom  
David Birch, in person  
Reverend Sarah Hakobian, in person

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

**David Birch Lot Line Adjustment:** Birch explained that he currently owns two lots on Bean River Road. He would like a lot line adjustment so that he may sell the existing house on 3.782 acres. He has a buyer who is interested and afterwards he would proceed with the second stage of the realty subdivision with his other five lots. Stabile asked if it was an existing house with an existing well and Birch replied yes, it is a good well and a good septic.

Stabile asked if it had ever been subdivided in the past. Birch replied no, not that he is aware of. Stabile asked Weaver to confirm. Weaver replied that he is also not aware of any.

Stabile asked Birch about the driveway cut and would another one be required. Birch said the driveway cut was fine.

Stabile asked how the board should proceed to Replansky. Replansky replied that it was minor two lot subdivision, but it can be referred to as a lot line adjustment. Replansky said the only issue he sees is segmentation of the SEQR review. Replansky

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said the environmental review would have to be a review of all the lots. Replansky said Birch should do a long form EAF for all the lots since we know Birch is eventually coming back with the subdivision. Replansky said it is okay to present the two projects separately, but the EAF will be needed for all the lots.

Schmitt asked Replansky if that means that if a SEQR is done for all the lots, and a negative declaration declared, when Birch returns for the major subdivision would only a technical review be necessary. Replansky said unless something was different in the plan, that was not considered in the original review, then another SEQR would not be necessary.

Birch was told he should submit the long form EAF for both projects with the maps attached.

Stabile asked if the curb cuts were already approved and Birch said two were.

Hermans expressed concern over receiving the same map that the board had seen previously for the major subdivision. Stabile said if anything changed then Birch would have to redo it. Schmitt reminded the board that it isn't approved at all.

Stabile said a public hearing would be necessary. Stabile asked for a motion to set the public hearing for August 10<sup>th</sup> at 7:30pm. Motion by Hermans, second by Patterson, all in favor, motion carried. Replansky said a 239M review by the county would also be necessary.

**Heaven's Light Bakery and Café:** Stabile asked the applicant, Reverend Sarah, to explain the project. The Reverend said she was interested in putting in a bakery and café in the former Chinese food restaurant space. She said she would also be doing online sales. The Reverend said the café aspect would be a limited menu and she is going to mostly be focusing on the baking side.

Stabile asked Weaver if this was just a site plan review is it already approved in that zone. Weaver replied yes. Stabile told the applicant they would need to see parking and lighting on the site plan. Stabile told the applicant that they are requirements in the town's code for a site plan review. Schmitt and Stabile said that she will also need BOH approval. Schmitt told the Reverend that she should hire an engineer to help her with the site plan requirements. Stabile said she should start

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the BOH approval as the process is very long. The Reverend said her landlord needed to clean the inside before she could have the BOH come. Schmitt explained to her that it is for the outside, sewage disposal, etc., not the kitchen permit. Schmitt said since it was previously a restaurant, that these things may already have been approved, but things may need to be done to bring it up to code. Stabile added that since it has been closed for more than a year, it will need to be inspected again.

Replansky said there needs to be a site plan application and he is also interested in how the access road will be maintained. Stabile said the road must have some sort of easement since it is attached to Dale Mitchell's property. Replansky thought it is still considered a private road. Stabile asked if the applicant should have language regarding the road on the site plan. Replansky replied yes, we should know how the access will be maintained. Stabile told the applicant she should speak with the building owner.

The applicant asked if a deed would be required and Schmitt replied that she could use the Dutchess County webpage for a copy.

Stabile asked Replansky if a public hearing would be required and Replansky replied that since it is a site plan for public use there should be one.

Stabile asked Replansky if it mattered if the applicant says they would be doing more wholesale. Replansky replied no, the issue for the board would be foot traffic.

Stabile asked Replansky if a short form EAF is required and Replansky replied yes.

**Other Business:** Stabile asked Weaver about the status of the farm on Rt. 83. Weaver replied that they will be getting a simple zoning permit for a farm stand since everything they sell is grown on the property.

**Approval of June Meeting Minutes:** Motion by Hermans to accept the June meeting minutes, second by Patterson, all in favor, motion carried.

Stabile mentioned the solar law meeting on July 18<sup>th</sup> at 7:00pm at town hall.

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Motion to adjourn at 8:15 pm by Patterson, second by Hermans,  
all in favor, meeting adjourned.

Respectfully submitted by:

Tricia Devine

Michael Stabile