

November 9, 2023

**PINE PLAINS PLANNING BOARD MEETING MINUTES**  
**Wednesday, November 8th, 2023**  
**7:30 PM**  
**In Person and Zoom**

**IN PERSON ATTENDANCE:** Michael Stabile, Chairman  
Al Blackburn  
Scott Cavey, Alternate  
Ethan DiMaria  
Dick Hermans  
Kate Osofsky  
Steve Patterson  
Vikki Soracco

**ZOOM ATTENDANCE:**

*(Members attending via Zoom do not count towards the quorum or voting.)*

**ABSENT:**

**ALSO PRESENT:** Warren Replansky, Town Attorney, in person  
Sarah Jones, Town Liaison, in person  
Reverend Sarah, applicant, in person  
David Birch, applicant, in person  
Bridget O'Connor, ChargeSmart EV, applicant,  
via Zoom  
Members of the Public, in person

Chairman Stabile opened the meeting at 7:30 pm with a quorum present.

**Touched by Heaven's Light Daycare:** Stabile said at the last meeting there was a public hearing and they heard concerns from one neighbor. Stabile said Rev Sarah staked out the playground with flags and asked the board if they had a chance to see it - they had.

Stabile said after seeing the property he doesn't feel the curb stops are needed.

Hermans said he understands the neighbor was concerned about a site line but it looks to him that there is white pine all across and doesn't feel it is a big visual exposure. Blackburn agreed it was denser than he thought it would be.

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DiMaria felt there shouldn't be any mandates for plantings in the approval but feels Rev Sarah should plant them if she wants to be amiable to the neighbor.

Stabile said the town engineer, who was unable to be at the meeting, had no comments.

Stabile said the site plan would need to be revised one last time to remove the curb stops.

The board then reviewed the draft resolution with Replansky. Replansky asked if the only waiver was the setback - Stabile replied yes, but on two different property lines, the north and east, and off the driveway. Stabile said vegetation should also be eliminated from the resolution. The board made some other minor changes to the resolution.

Stabile asked for a motion to accept the resolution with the changes that Replansky will draft and the site plan as shown, except for the removing of the curb stops, motion by Blackburn, second by Patterson, roll call vote: Blackburn aye, Soracco aye, Hermans aye, Patterson aye, Osofsky aye, DiMaria aye, Stabile aye, motion carried by a 7-0 vote.

**Birch Minor Subdivision:** Birch said phase one was done in June of 2022 which was a lot line adjustment for one of the lots. Birch said originally it was a six-lot subdivision and will become a 4-lot subdivision. Birch said it is on Bean River Road and is in a hamlet zone of he believes a minimum of a ½ acre. All the lots are 4 acres or more. There is one shared driveway that exists and will be shared by the lot that adjoins it. Stabile asked if this was at the north end and Birch replied, no, the south end. Birch said this was suggested by the highway department so that there wouldn't be a lot of driveways. For the site distance this was a good spot to place it. Stabile asked if the north driveway was also shared, Birch replied no. DiMaria said the original intention was to have the two northern lots meet at the base. DiMaria asked if that was no longer the case and Birch that is still the case. Stabile said so the little bit by the road is shared.

DiMaria asked if the house at the county line and the house at the southern lot created already exist and Birch replied yes. Birch said the BOH asked him to put in a new well at the existing house at the southern portion, which has been completed.

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Stabile asked if Birch received the driveway permits already. Birch replied that one is an existing driveway. Stabile asked Replansky if he is adding a house to the shared driveway would he have to redo the driveway permit. Replansky replied yes. Stabile said they will have to approve the shared driveway. Birch said they were at the site and did approve it but he does not have anything in writing. Stabile said the board will need it in writing.

Birch said he is working with the BOH and they are looking for preliminary approval on the application and the SEQR before they issue their final approval.

Stabile asked Birch if he completed the ag data statement. Birch replied yes, he had done it previously and has redone it. Stabile asked if it had been mailed yet - Devine replied no, she just received it.

Stabile then reviewed Schmitt's comments. Schmitt said Birch needs an actual surveyor's plot, the current plot has no stamp.

Schmitt said Birch needs to show a limit of disturbance and list area. Replansky said this probably means to show the area of property that will be disturbed to create the house.

Schmitt also said a basic SWPPP is needed.

Stabile asked how this application differs from the major subdivision application originally submitted. Replansky said since it is a minor subdivision the board can waive the public hearing, but he advises against this due to concerned neighbors previously. Replansky said the hearing cannot be scheduled until all the items mentioned are complied with.

Replansky asked Birch who the actual applicant was since the property was sold to an LLC that he created. Replansky said the applicant should be amended to the correct owner. Replansky said they will also need a shared driveway agreement between the two lots eventually. Stabile asked if the one for the top is sufficient since it was done previously. Replansky replied yes, it was done. The board told Replansky it will be shared with one of the lots in the new subdivision. Replansky asked for another copy of the shared driveway agreement from the applicant so that he can review it.

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Stabile asked Replansky since it was a minor subdivision do they still need to look at a conservation subdivision and Replansky replied no, not for a minor.

Stabile told the applicant to work on these items and that a public hearing could not be scheduled yet.

**Stissing Storage Site Plan Review 2 EV Charge Stations:** Bridget O'Connor from ChargeSmart EV went over the project. O'Connor said they do level two and three installations all over the eastern seaboard. O'Connor said they are now proposing two, 32-amp wall mount charge stations, instead of the original three submitted, at Stissing Storage, due to space constraints. The two stations will be mounted to a fifty-foot wall where four cars may charge at a time. No new utilities will be needed and the stations will be open to the public.

Stabile asked if Stissing Storage would be a franchisee? O'Connor replied that Stissing Storage would own them and would receive some of the fees received from the chargers, as well as ChargeSmart EV. Stabile said he would like to see the agreement between Stissing Storage and ChargeSmart EV.

Stabile asked if there was any signage or lighting involved with the charge stations. O'Connor replied that the face of the charger is lit and there is a standard sign that provides a phone number and a QR code. Stabile asked if the panels are lit all the time or only when they are in use. O'Connor replied only when they are in use. There will also be a sensor light over each of the charging stations. Stabile asked that they be downlight, full cut off, and dark sky compliant, as per the engineer's comments. Stabile asked if there would be curb stops. O'Connor said when they wall mount they do not usually include curb stops but they can if the planning board would like them to. Stabile asked if cars would back into the station - O'Connor said it doesn't matter as the cables are long enough.

Stabile asked the board how they felt about the stations being lit up. DiMaria said it's fine if it is only when they are in use and not annoyingly bright.

Stabile asked how long a charge would take on a level 2 station. O'Connor said it depends, but typically 2 to 4 hours.

Blackburn asked what is in the building where the stations would be mounted. O'Connor said there is a door at the front of the

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building and the wall is just a blank wall. O'Connor said parking spaces are usually 8 ft and these would be 50 ft so there will be ample room if the area needs to be accessed. There are storage units in the building. Stabile asked if the doors on that side of the building are storage access. O'Connor replied yes and office space for the owner for the building. Stabile was curious how often someone would be on the other side of the wall which would warrant a curb stop.

Osofsky asked if people would leave their car there or wait. Stabile assumed both. O'Connor said it depended on how much of a charge would be needed. A full charge would take 4 hours. DiMaria asked if there was a way to shut them off at night to prevent people from parking overnight. O'Connor said that is up the planning board but they do encourage 24 hr access to them. Soracco said there was an issue with the charging station in town having people parked there all night. DiMaria said his concern is the lighting. Osofsky said they will have to look at what it looks like at night and are there any ChargeSmart EV chargers nearby. O'Connor said she wasn't sure but could send photos. DiMaria said the motion sensor lights will need to be added to the site plan. Stabile said they will speak to Schmitt regarding the foot candles.

Stabile asked about the sign. O'Connor replied there is a standard sign the same size as any regulatory parking sign with a phone number and QR code. Stabile asked if it would be mounted to the building, O'Connor replied yes. Stabile asked if there would be any signs by the road. O'Connor replied no, as customers usually depend on an app. Cavey asked the size of the units. O'Connor replied 11"x7"x3".

Stabile said the engineer asked that the dimensions of the building and parking stalls be shown. O'Connor said the parking spaces will be a standard size of 8'x12'. O'Connor asked if the board would require them to be striped. The board felt this made the most sense.

Osofsky asked how much it costs to charge a car. O'Connor replied roughly \$50 for a full charge but she isn't sure.

DiMaria asked for examples of the lighting. Stabile asked if there were any charging stations in the area to let them know so that the board could check them out. Stabile said the building lights will also need to be on the site plan. Stabile said they will speak to Schmitt regarding the curb stops.

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Replansky asked where in the zoning law are the charge stations permitted. Stabile said he would check with Weaver regarding this. O'Connor said he spoke to Weaver and he had no issues with the project. Replansky said they need to know where this is permissible in the zoning code so a precedent isn't set.

Later in the meeting Stabile heard back from Weaver where he said he felt it would be an amendment to their site plan as review of available space and traffic pattern. Replansky said he still needs to know what section of the law is permitted in. Replansky felt the zoning law should be amended to provide for this. Later in the meeting Weaver said it would be a customary accessory use. Replansky agreed. Stabile said they will work on the zoning review committee for it.

**Other Business:** Stabile said he spoke to Weaver and that The Stissing Center needs to have their maps signed. Stabile said he only gave them their roof permit and will hold off on the main permit until the maps are signed. TSC is also looking to rebuild the house on the west side of the building. They would like to knock it down and build it on the same foundation. Weaver felt this was a nonconforming use since it is the business district. Stabile said it would not be for rent but would be used for performers who needed a place to stay. Stabile felt it was all within use of the TSC since it was not a residential use. Stabile asked Replansky if he agreed. Replansky said he guessed so. Replansky said they will need to come in and amend their site plan for it.

Stabile said the Tower Pizza parking lot, that was put on the American Legion property, is being worked on by Wesley Chase with a site plan for lighting and drainage, etc. Stabile said there is currently no lighting now and Chase felt that may be an issue. Soracco said the current lighting in the other parking lot is bright enough. Soracco said Replansky will need to see a lease agreement and easement between Tower Pizza and the American Legion.

Stabile said Dale Mitchell has pulled the APEX application. Stabile said he asked Mitchell about Hudson Valley Housing and Mitchell replied they would be coming to the town board with a presentation regarding it. Replansky said he wasn't sure of the density requirements for Pine Plains and how many units would be allowed for the work force housing. Stabile asked if the density was the only issue and Replansky replied yes.

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Stabile said Circle G is allowed to put up a building since they are still only selling their own items and do not need a change of use permit from the county for the parking lot.

Stabile said Sugar Hill Farm is looking to put in a slaughterhouse behind the farm store on Rte 199. They will be seeing ag & markets first about this. If they start to slaughter more than their own animals they will then need to come before the Planning Board.

Stabile asked for a motion to set a special meeting to discuss the Carson Power resolution on November 28<sup>th</sup> at 6:30PM, motion by DiMaria, second by Blackburn, all in favor, motion carried.

Stabile reminded the board to have their education and sexual harassment training done.

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

Motion to adjourn at 8:53pm by Hermans, second by Patterson, all in favor, motion carried.

Respectfully submitted by:

Tricia Devine

Michael Stabile