

January 11<sup>th</sup>, 2024

**PINE PLAINS PLANNING BOARD MEETING MINUTES**  
**Wednesday, January 10th, 2024**  
**7:30 PM**  
**In Person and Zoom**

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

**ZOOM ATTENDANCE:**

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

**ABSENT:**

**ALSO PRESENT:** Warren Replansky, Town Attorney, via Zoom  
George Schmitt, Town Engineer, in person  
Ed Casazza, Town ZEO, in person  
Brian Walsh, Town Supervisor  
Jim Smith, Deputy Town Supervisor  
Kevin Walsh, Town Liaison, in person  
Jeanine Sisco, Town Board Member  
David Birch, applicant, in person  
Bridget O'Connor, ChargeSmart EV, applicant, via Zoom  
Lynden Chase, representing applicants  
Members of the Public, in person

Chairman Stabile opened the meeting at 7:30 pm with a quorum present. Stabile introduced the new town board liaison, Kevin Walsh. Stabile announced that Soracco would be stepping down as vice chair and would be replaced by Osofsky. Stabile thanked Soracco for her work and advice and thanked Osofsky for stepping up to the position.

**David Birch Minor Subdivision Public Hearing:** Stabile asked for a motion to open the hearing, motion by Blackburn, second by Patterson, all in favor, motion carried. Birch said it was a 3-lot subdivision that took over a year for BOH approval. Birch

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has also received county DOT approval for the two driveways and is ready to move forward with it. Birch said they are existing driveways and one is shared. Stabile asked if there were any members of the public looking to comment. There were none. Stabile then read an email from Robert Lambert, of 1100 Bean River Road, received in opposition to the project (see attached). Stabile then read a letter from Philip Segó, who owns a parcel on Bean River Road south of the project, in favor of the project (see attached). Sarah Jones of 76 Bean River Road said she drives the intersection of concern of Lambert's nearly every day and feels it is perfectly appropriate to put in a few more houses at that location as proposed. She doesn't feel it would cause any danger to the public.

Stabile asked Schmitt what he thinks about the water issue brought up by Lambert. Schmitt said the BOH has jurisdiction over that and they issued the permit so there shouldn't be any adverse impacts to a properly designed septic system.

Stabile asked Schmitt where Birch would be able to build houses on these properties. Schmitt said he could build wherever zoning allows. Stabile asked Replansky if they wanted to avoid houses being built on the ridgeline is there a way to do that. Replansky replied said there is no ridgeline ordinance. Schmitt said it would have to be done under SEQR. Hermans said it's not a practical place to put a house anyway.

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

Stabile asked for a motion to direct Replansky to draft a resolution approving the project. Motion by Osofsky, second by Blackburn, all in favor, motion carried.

The board then went over the SFEAF Pt II (see attached).

The board will vote on the resolution next month.

**Stissing Storage Site Plan Review 2 EV Charge Stations Public Hearing:** Stabile asked the applicant about the lights that were still on at the storage facility. O'Connor said they are adjustable and can be downgraded to comply with zoning.

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

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O'Connor then shared the site plan and gave a brief review of what the project entails.

Stabile asked if there were any members of the public looking to speak on the application - there were none.

Soracco asked about signage for the project - O'Connor said there would only be a sign by the actual chargers since everything is automated and customers would find the chargers via an app.

DiMaria said he feels the light placement needs to be added to the site plan.

Stabile said the cutsheets for the lights should also be added to the site plan.

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

The board then went over the SFEAF PT II (see attached).

Stabile asked O'Connor to turn down the lights and to then inform Secretary Devine so that she may alert the board to check that they are in the proper configuration.

The board will vote on the resolution at next month's meeting.

**Augustine Lot Line Adjustment:** Stabile went over the resolution (see attached). Stabile then asked for a motion to accept the resolution, motion by Blackburn, second by Hermans, roll call vote: Soracco aye, Blackburn aye, DiMaria aye, Hermans aye, Osofsky aye, Patterson aye, Stabile aye, motion carried.

**Hill Lot Line Adjustment:** Stabile went over the resolution (see attached). Stabile then asked for a motion to accept the resolution, motion by DiMaria, second by Patterson, roll call vote: Soracco aye, Blackburn aye, DiMaria aye, Hermans aye, Osofsky aye, Patterson aye, Stabile aye, motion carried.

**Approval of the December Meeting Minutes:** Motion by Osofsky to accept the December meeting minutes, second by Blackburn, all in favor, motion carried.

**Other Business:** Stabile went over an amended resolution for Touched by Heaven's Light Daycare (see attached). Stabile asked for a motion to accept the resolution, motion by Blackburn,

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second by DiMaria, roll call vote: Soracco aye, Blackburn aye, DiMaria aye, Hermans aye, Osofsky aye, Patterson aye, Stabile aye, motion carried.

The board discussed the pending litigation (article 78 petition) recently brought against the town by some residents regarding the Carson Power Solar Project with Replansky. Replansky said the property has recently been sold but he has not yet been told who the new owners are. Replansky mentioned some items that are needed from the applicant prior to the site plan being signed such as the conservation easement, amended O&M plan, PILOT agreement to be reviewed by the accessor and town board, site plan to be revised to include the boundary survey, screening for the construction sequence and habitat overlay, etc. Schmitt will also need to review these items.

Stabile asked for a motion for Replansky to draft a resolution authorizing him to represent the planning board in the litigation. Motion by Hermans, second by Patterson, roll call vote: Patterson aye, Hermans aye, DiMaria aye, Soracco aye, Blackburn aye, Osofsky aye, Stabile aye, motion carried.

Motion to adjourn at 8:41pm by Patterson, second by DiMaria, all in favor, motion carried.

The board then went into an executive session with Replansky for reasons of pending litigation. No decisions were made while in the executive session.

Respectfully submitted by:

Tricia Devine

Michael Stabile

<planningboard@pineplains-ny.gov>

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**From:** rob lambert [redacted]  
**To:** planningboard@pineplains-ny.gov <planningboard@pineplains-ny.gov>  
**Date:** Jan 10 '24 14:47  
**Subject:** David Birch subdivision /// 618 Bean River Road /// January 10th 2024 meeting

Dear Planning Board of Pine Plains—

My name is Robert Lambert and I live within 500 feet of the proposed David Birch Subdivision and lot line adjustment.

We continue to be opposed this subdivision and have myriad concerns:

**increased traffic flow** at one of 199's most dangerous intersections (Rte 199 / Pulver's Corners)

**environmental**

- impact on western / south western ridgeline views
- new septic fields at higher grades than existing agricultural farm land (**drains directly into our southern fields in agriculture**).

**water access**

- adjacent wells be impacted by the addition of new active water wells
  - there are over 10 adjacent and active wells that draw from aquifer, some at higher gradients and some at lower

Please keep me posted as it relates to this file.

Many thanks,

Rob Lambert

[redacted]

[redacted]

Phillip Sego  
221 Norfolk Street - Cambridge, MA 02139-1402  
tel: (617) 609-1111 - [REDACTED]

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December 23, 2023

Pine Plains Planning Board  
PO Box 955  
Pine Plains, NY 12567

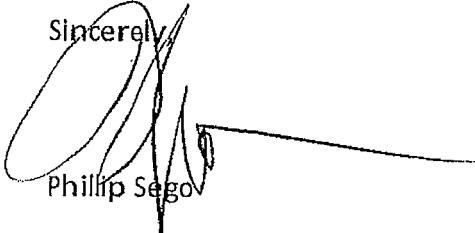
Re: Petition dated December 14, 2023 by David Birch, tax map ID 134200-7072-00-220400,  
618 Bean River Road

Dear Members of the Pine Plains Planning Board,

I am the owner of parcel 134200-7072-00-240240, approximately 15 acres, which directly abuts (to the south) the Birch property, as noted above. This property has been in my family since 1945.

I wish to express my support for the proposed subdivision as noted in this application before the Planning Board

Sincerely,

  
Phillip Sego

Birch

Agency Use Only [If applicable]

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Pine Plains Planning Board \_\_\_\_\_ 1/10/2024 \_\_\_\_\_  
Name of Lead Agency Date

Michael Stabile \_\_\_\_\_ Chairperson \_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

[Signature] \_\_\_\_\_ [Signature] \_\_\_\_\_  
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)



change Smart EV

Agency Use Only [If applicable]

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Pine Plains Planning Board  
Name of Lead Agency

1/10/24  
Date

Michael Stabile

Chairperson

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

[Signature]  
Signature of Responsible Officer in Lead Agency

[Signature]  
Signature of Preparer (if different from Responsible Officer)

**TOWN OF PINE PLAINS PLANNING BOARD**

**RESOLUTION GRANTING FINAL CONDITIONAL APPROVAL FOR THE KATHLEEN V. AUGUSTINE/SUNNYSIDE FARM LLC LOT LINE ADJUSTMENT – MINOR SUBDIVISION**

**WHEREAS**, Kathleen V. Augustine has submitted an application to the Town of Pine Plains Planning Board for a minor subdivision/lot line adjustment between a parcel of land owned by Sunnyside Farm LLC, tax map number: 7072-00-066181, consisting of approximately 95.45 acres and a parcel of land owned by Kathleen V. Augustine consisting of 5.19 acres, tax parcel number: 7072-00-081287; and

**WHEREAS**, the lot line alteration is depicted on the Lot Line Alteration Survey Map prepared for Kathleen V. Augustine dated November 2, 2023 prepared by Lyndon B. Chase, Licensed Surveyor; and

**WHEREAS**, the lot line adjustment proposes to convey a parcel of land consisting of 5.19 acres of the Sunnyside Farm LLC parcel to Kathleen V. Augustine to be consolidated and merged by legal instrument into one new parcel consisting of 17.71 acres, all as shown on the said Lot Line Alteration Survey Map; and

**WHEREAS**, this matter came on to be considered by the Planning Board at its December 13, 2023 meeting; and

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

**WHEREAS**, the proposed Lot Line Alteration Map has been reviewed by the Engineer for the Town, who has determined that the proposed lot line alteration and the map are acceptable in substance and in form.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Planning Board hereby grants final approval to the subdivision/lot line adjustment and authorizes the Planning Board Chairman to sign the Lot Line Alteration Survey Map subject to the following terms and conditions:

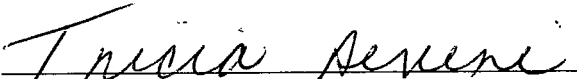
1. That the 5.19 acre parcel be merged with the new 12.52 acre parcel, as shown on the Subdivision Map into a new parcel consisting of 17.71 acres by merger deed which deed shall be forwarded to the attorney for the Planning Board for approval and, upon approval, filed in the office of the Dutchess County Clerk within seven (7) working days of the filing of the Subdivision Map; and

2. That all escrow fees 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.

The Planning Board members voted as follows:

<b>Michael Stabile, Chairperson</b>	<b>Aye</b>
<b>Kate Osofsky, Vice Chairperson</b>	<b>Aye</b>
<b>Al Blackburn</b>	<b>Aye</b>
<b>Scott Cavey, Alternate</b>	<b>Did Not Vote</b>
<b>Ethan DiMaria</b>	<b>Aye</b>
<b>Richard Hermans</b>	<b>Aye</b>
<b>Steve Patterson</b>	<b>Aye</b>
<b>Vikki Soracco</b>	<b>Aye</b>

The Resolution was carried by a 7-0 vote of the Planning Board members on January 10<sup>th</sup>, 2024.

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

**TOWN OF PINE PLAINS PLANNING BOARD**

**RESOLUTION GRANTING FINAL CONDITIONAL APPROVAL FOR THE THOMAS E. HILL AND DONNA M. HILL LOT LINE ADJUSTMENT – MINOR SUBDIVISION**

**WHEREAS**, Thomas E. Hill and Donna M. Hill (“the Hills”) have submitted an application to the Town of Pine Plains Planning Board for a minor subdivision/lot line adjustment between a parcel of land owned by the Hills, tax map number: 6872-10-253632, consisting of approximately 0.50 acres and an adjacent parcel of land owned by the Hills consisting of 0.50 acres, tax parcel number: 6872-10-255621; and

**WHEREAS**, the lot line alteration is depicted on the Lot Line Adjustment Survey Map prepared for the Hills dated November 8, 2023 prepared by Lyndon B. Chase, Licensed Surveyor; and

**WHEREAS**, the lot line adjustment proposes to convey a parcel of land consisting of 0.03 acres of the 255621 parcel to the Hills to be consolidated and merged with parcel 253632 by legal instrument into one new parcel consisting of 0.53 acres, all as shown on the said Lot Line Adjustment Survey Map; and

**WHEREAS**, this matter came on to be considered by the Planning Board at its December 13, 2023 meeting; and

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

**WHEREAS**, the proposed Lot Line Adjustment Map has been reviewed by the Engineer for the Town, who has determined that the proposed lot line alteration and the map are acceptable in substance and in form.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Planning Board hereby grants final approval to the subdivision/lot line adjustment and authorizes the Planning Board Chairman to sign the Lot Line Alteration Survey Map subject to the following terms and conditions:

1. That the 0.03 acre portion of parcel 255621 be merged with the 253632 acre parcel, as shown on the Lot Line Adjustment Map into a new parcel consisting of 0.53 acres by merger deed which deed shall be forwarded to the attorney for the Planning Board for approval and, upon approval, filed in the office of the Dutchess County Clerk within seven (7) working days of the filing of the Subdivision Map; and

2. That all escrow fees 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.

The Planning Board members voted as follows:

<b>Michael Stabile, Chairperson</b>	<b>Aye</b>
<b>Kate Osofsky, Vice Chairperson</b>	<b>Aye</b>
<b>Al Blackburn</b>	<b>Aye</b>
<b>Scott Cavey, Alternate</b>	<b>Did Not Vote</b>
<b>Ethan DiMaria</b>	<b>Aye</b>
<b>Richard Hermans</b>	<b>Aye</b>
<b>Steve Patterson</b>	<b>Aye</b>
<b>Vikki Soracco</b>	<b>Aye</b>

The Resolution was carried by a 7-0 vote of the Planning Board members on January 10<sup>th</sup>, 2024.

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

**TOWN OF PINE PLAINS PLANNING BOARD**

**AMENDED RESOLUTION APPROVING THE APPLICATION OF REVEREND SARAH HAKOBIAN D/B/A TOUCHED BY HEAVEN'S LIGHT DAYCARE FOR SITE PLAN APPROVAL OF A DAYCARE CENTER FOR SCHOOL-AGE CHILDREN AT 15-19 PILCH DRIVE, SUITE C (UNIT 3), PINE PLAINS, NEW YORK**

**WHEREAS**, Reverend Sarah Hakobian d/b/a Touched by Heaven's Light Daycare has made application to the Town of Pine Plains Planning Board for approval of a daycare center for school-age children, to be located at 15-19 Pilch Drive, Suite C (Unit 3), Pine Plains, New York, Parcel No. 134200-6871-00-467980-0000; and

**WHEREAS**, the parcel is located within the Town's H-MS zoning district in which a daycare center is a use permitted pursuant to site plan and special use permit approval pursuant to the provisions of §275-56(s) of the Zoning Code; and

**WHEREAS**, a public hearing was scheduled on said application for October 11, 2023; and

**WHEREAS**, the applicant has submitted a site plan for the project last revised on November 3, 2023 meeting the application requirements of the Code and the special requirements for daycare centers as set forth in the Town Code except for the fact that the proposed fenced outdoor play area is proposed to be located within 10 feet rather than 50 feet as required by the Code of the eastern boundary of said property; and 40 feet rather than 50 feet as required by the Code on the northern boundary; and

**WHEREAS**, the applicant has requested that the 50 foot requirement be waived pursuant to the provisions of §275-55(G)(3) of the Town Code; and

**WHEREAS**, one member of the public spoke at said public hearing, specifically Tom McElroy, who resides at 20-22 Myrtle Avenue, adjacent to the said property, and Mr. McElroy asked that the waiver of the 50 foot setback requirement be denied and that certain screening be installed to shield his property from the play area; and

**WHEREAS**, the public hearing was closed on that same date; and

**WHEREAS**, the Planning Board has determined that this is an Unlisted Action under SEQRA which does not require a coordinated review; and

**WHEREAS**, the Planning Board has determined that the proposed facility will require the approval of the New York State Office of Children and Family Services (OCFS) before the facility may operate; and

**WHEREAS**, the Planning Board has reviewed Part 2 of the Short Form Environmental Assessment Form and determined that the proposed daycare will not result in any significant environmental impacts which require the preparation of a Draft Environmental Impact Statement.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Planning Board hereby approves the application of Reverend Sarah Hakobian for the conduct of the daycare facility at 15-19 Pilch Drive, Suite C (Unit 3), Pine Plains, New York, subject to the following conditions:

1. That the facility be operated and maintained in accordance with the site plan submitted, and approved by, the Planning Board;
2. That the waiver pursuant to §275-55(G)(3) of the 50 foot setback requirement is hereby waived to allow a 40 foot setback on the north property line and 10 foot setback on the east property line and 20 foot setback from the driveway.; and
3. That the curb stops shown on the site plan may be removed; and
4. That within 120 days of the issuance of a certificate of occupancy for the facility by the Building Inspector, the applicant shall provide proof that the facility has been licensed by the Office of Children and Family Services of the State of New York; and
5. That the facility, at all times, be operated in accordance with the requirements of the license issued by the Office of Children and Family Services of the State of New York and the New York State Child Daycare Regulations (Part 418-1) and that license shall be maintained and renewed, as may be required, by New York State Child Daycare Regulations.
6. That all application, escrow fees and other charges imposed on this application by the Planning Board and Town Code be paid prior to signing of the site plan by the Planning Board Chairman.

The Planning Board members voted as follows:

<b>Michael Stabile, Chairperson</b>	<b>Aye</b>
<b>Kate Osofsky, Vice Chairperson</b>	<b>Aye</b>
<b>Al Blackburn</b>	<b>Aye</b>
<b>Scott Cavey, Alternate</b>	<b>Did Not Vote</b>
<b>Ethan DiMaria</b>	<b>Aye</b>
<b>Richard Hermans</b>	<b>Aye</b>



**Steve Patterson**

**Aye**

**Vikki Soracco**

**Aye**

The Resolution was carried by a 7-0 vote of the Planning Board members on January 10<sup>th</sup>, 2024.

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