

PINE PLAINS ZONING BOARD OF APPEALS MINUTES

Tuesday, May 26th, 2026, 7:30PM

In-person and Zoom

IN ATTENDANCE: Scott Chase, Chair, Carl Baden, Marie Stewart, Michael O'Neil, Amanda Zick

ABSENT:

ALSO PRESENT: David Caswell, Applicant, Dawn Santiago,
Applicant, via Zoom, Members of the Public

Scott Chase opened the meeting at 7:30PM with a quorum present.

Caswell Area Variance Public Hearing: Chase asked Caswell to explain how conditions on his lot preclude him from meeting the 50-foot side yard setback for a proposed garage. Caswell reviewed with the board why the area variance is needed. Chase asked for a motion to open the public hearing, motion by Stewart, second by Baden, all in favor, motion carried. Chase asked if any members of the public were looking to speak on this application - there were none.

Chase reviewed the resolution with the board (see attached). Chase asked for a motion to accept the resolution, motion by Baden, second by Zick, all in favor, motion carried.

Weigh Station Area Variance Public Hearing: Santiago from KDA gave a brief summary of her application. Santiago said Building A currently has a footprint of 6700 sq feet, which is already over the 6,000-foot threshold. Santiago said the building was deemed unstable for their plans so they will be knocking it down and rebuilding a structure of 8,989 sq feet. Santiago said they are removing two buildings, which will put the square footage at less than the original buildings.

Chase asked for a motion to open the public hearing, motion by Stewart, second by Baden, all in favor, motion carried. Chase asked if any member of the public was looking to speak.

Mike and Roseann Kemp, neighbors at 37 Bethel Place, expressed concern about various subjects such as dumpsters, parking, lighting, compressors being used at night, excess traffic, and rats. The Kemps are concerned about the extra noise the grocery store will bring and how it could affect their quality of life.

Santiago said that they will be keeping within the town's guidelines for all of these concerns.

The Kems wondered if any other properties in town were thought of to use, instead of this one. Chris Gumprecht, owner of the property, said there no other lots that he knows of. Gumprecht gave a passionate reply that he is excited to hear everyone's comments and looks forward to working with everyone.

Baden suggested landscaping on the north side to help minimize the noise the Kems would be hearing. Zick asked if there was a lot of noise when the property was Duell's, a hardware store. M. Kemp replied that there used to be more buildings surrounding that area that helped dull the noise.

Chase reminded the public and the board that this will also have a hearing with the planning board where these issues should be brought up as the ZBA is only dealing with the size of the building. Chase asked the board if they have an issue with the size of the building - there were none.

Chase said the planning board will need to finish their SEQR review before the ZBA can give their official decision. The public hearing will remain open until a SEQR decision is made.

Other Business: Chase reminded board members to get their continuing education credits.

Approval of the April 2026 Meeting Minutes: Motion by Zick to approve the April meeting minutes, second by Stewart, all in favor, motion carried.

Meeting adjourned at 8:17PM.

Respectfully submitted by:

Tricia Devine
Secretary

Scott Chase
Chairman

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Caswell Stissing Mt RD Area Variance #2- 2026 Resolution

WHEREAS, The Town of Pine Plains Zoning Board of Appeals is in receipt of an area variance application from David Caswell (check actual applicant information) for property located at address 319 Stissing Mt Rd, Town of Pine Plains, Dutchess County, Tax Map ID# 134200-6772-00-792445, to allow the construction of a 26' x 36' garage extending 30 feet into the required 50 foot side yard, and

WHEREAS, the Zoning Board of Appeals has reviewed the subject variance request #2-2026, submitted by David Caswell, and

WHEREAS, after review of the application including: review of the Town habitat map, a site inspection and a legally noticed public hearing held on May 26th, 2026, and

WHEREAS, this action does not require referral to the Dutchess County Department of Planning and Development and

WHEREAS, the proposed action is a Type II action under SEQRA and by law is not considered to have significant impact on the environment and no further environmental review is required, and

WHEREAS, the lot and house were existing prior to the enactment of Zoning, and

WHEREAS, the Board finds that it is not possible to place a garage in the side or rear yard due to the lot configuration, the slope of the lot and septic system location, and

WHEREAS, the variance requested is not substantial for the neighborhood and the proposed building and setback will not be out of character with the neighborhood as other homes have accessory buildings with smaller side yards, and

WHEREAS, there were no concerns expressed by the neighbors, and

WHEREAS, this lot was created and the house was constructed prior to the adoption of the Zoning Law and hence any hardship was not self created, and

NOW THEREFORE BE IT RESOLVED that based upon the preceding findings, the Zoning Board of Appeals of the Town of Pine Plains hereby grants the application for a variance to the requirements found in the Schedule of Bulk Regulations, Table B, allowing the

of no less than 20 feet.

with the following conditions: *No ADDITIONAL CONDITIONS*

Sl

Amanda Zick Aye

Scott Choe

Trinia Beroni

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