PINE PLAINS PLANNING BOARD MEETING MINUTES
Wednesday, July 15th, 2026
7:30 PM
In Person and Zoom

IN PERSON ATTENDANCE: Michael Stabile, Chairman
David Allan, Alternate
Scott Cavey
Rory Chase
Ethan DiMaria

ABSENT: Kate Osofsky, Co-chair
Dick Hermans
Ari Kardasis, Alternate
Steve Patterson

ALSO PRESENT: Warren Replansky, Town Attorney
George Schmidt, Town Engineer
Kevin Walsh, Town Board Member
Jeanine Sisco, Town Board Member
Steve Hobson, Applicant, via Zoom
Kelly Libolt, KARC Planning
Kristina Dousharm, Applicant
Chris Feldman, Applicant's Counsel
Members of the Public

Chairman Stabile opened the meeting at 7:33PM with a quorum.

HTWO Properties, LLC Resolution (00:1:02-00:16:00): Replansky briefly described the resolution that he worked on. Replansky explained that the applicant will need to submit an amended site plan when the farm stand/market law is changed with the town board. Stabile then reviewed the resolution with the board (see attached).

Stabile asked for a motion to accept the resolution, motion by Cavey, second by DiMaria, roll call vote: Chase aye, Cavey aye, Allan aye, DiMaria aye, Stabile aye, all in favor, motion accepted.

KARC Planning Consultants, Inc. Resolution (00:16:05-00:24:03): Stabile reviewed the resolution with the board (see attached). Stabile asked for a motion to accept the resolution, motion by DiMaria, second by Chase, roll call vote: Chase aye, Cavey aye, Allan aye, DiMaria aye, Stabile aye, all in favor, motion accepted.

Upstate Pines (00:24:25-00:42:45): Dousharm said they currently have two applications before the board, one is for a grocery store and ice cream shop, but before this can continue they need to resolve the issue with the cannabis dispensary. Dousharm said they are before the planning board to discuss the ADA accessible ramp.

Feldman explained that the property was previously built out and constructed for a commercial purpose. Feldman said the CO was issued prior to the dispensary application. Feldman said they reached out to the state and were told that the ADA accessible ramp is not required due to the change in use of the building. Feldman also said that the state code exempts projects where the cost to install the ramp would be greater than 20% of the cost of construction of the primary function area - Feldman said this would apply to this building, as the ramp would cost 30K and 75K was put into the building's renovation.

Dousharm said installing the ramp would require removing the historical scale as it would be too hard to put the ramp over the scale.

Replansky said he agrees that the change in use doesn't automatically trigger ADA accessibility, only if there are significant alterations to the building. Replansky said if the town was going to require an ADA access it should of been done when the original permit was issued. Replansky said he has no objection to the town issuing approval. Replansky said he prepared an amended resolution. Replansky said when these things are litigated, regarding ADA accessibility, a lawsuit is usually brought upon the owner of the property and not the town. Replansky agrees that the scale has historical importance. Replansky asked if a permit was issued by the state for the operation of the dispensary, Feldman replied yes. Replansky asked for a copy for the records.

Stabile asked how an ADA client would work. Dousharm said they could call and do curbside. A co-owner of Upstate Pines said they would also have delivery.

Stabile asked for a motion to accept the amended site plan resolution removing the handicap requirement on the site plan (see attached), motion by Cavey, second by Chase, roll call vote: Chase aye, Cavey aye, Allan aye, DiMaria aye, Stabile aye, all in favor, motion carried.

Other Business: The board reviewed the law changes with Replansky that he is bringing to the town board. The first law change is regarding the Lia's property. The issue is that the property is listed under two different zones. Replansky said he suggests amending section 275-6E of the zoning code to "however if the divided property is located in the town's HMS District and consist of 4 acres or less, the less restricted portion of the lot should extend into the rear lot". Stabile asked if this would be a waiver and Replansky said no, it would be amended and in the town code. The board agreed with the amended law and will give their approval to the town board.

The next local law deals with the farm stand/market change. Replansky said he recommends leaving the farm stand provision as it and amending the farm market provision to say "a farm market shall be a use permitted in the HMS zone or highway business HPC, and LP Districts subject to special use permit and site plan approval and to the following: the farm market will be operated as an accessory use to the principal use of property and shall be of use of the applicant only" The rest of the law would remain such as the farm market law that 2/3 of the total amount of the annual retail sale of agricultural, horticulture, and vegetable and fruit products, soil, livestock, and meat, poultry, eggs, dairy products, etc. shall be grown, raised, or produced on the property on which the market is located, but not withstanding those restrictions, the farm market may sell supporting agriculture products and products not grown on owner/ applicant property provided that the said products do not proceed 1/3 of the total annual retail sales of the market. The rest of the provisions are all pretty liberal in allowing the sale of other products.

Replansky said the farm stand could remain as is allowed in all the districts and does not require a special use permit but is limited to what is grown on the property.

After some discussion it was decided to take out the portion that the use would only be for the owner/applicant of the property as it seemed too restrictive. Point number two that the farm market needs to be located on the same property as the agricultural operation will also be removed. It was also decided that the percentage that needs to be grown on the farm will be changed from 2/3 to 20%. Also under the special use requirements it will be changed that it needs to be grown or raised on the property where the market is located.

Replansky will bring both laws before the town board for their approval.

DiMaria requested that Stissing Farm appear at the next meeting to explain how the current rentals will be changed to condominiums.

Replansky said CEEN will also be appearing before the board next month.

Wesley Chase then gave a brief history regarding the CEEN property and then the board discussed with him how they are just looking for CEEN to apply for an amended site plan, as using the property as a depot for Crown Propane is different than storing campers and boats. Stabile said it is the light industrial zone and just a change of use is needed. Chase agreed with the change of use and then gave some more details, such as it costing 20K to pave the apron per the DOT and the road maintenance agreement that is needed. He said the applicants have a deeded right-a- way for ingress and egress. Chase said the storage aspect went away after it was changed to a cannabis manufacture. Chase said he believed there was a complaint regarding propane storage which Chase said is not true, no propane is stored there.

Chase said he agrees that more traffic, etc. needs to be reviewed. Chase said the driveway easement is still being negotiated.

Chase said Replansky has been in contact with the other party's counsel regarding the driveway agreement. Chase said this makes it hard to negotiate because it gives the appearance of the town being on one side and not neutral. Chase asked Replansky why he was in contact with their counsel and Replansky said because he was contacted and told they were having trouble negotiating the maintenance agreement.

Chase then said he feels it should be handled more appropriately. Stabile said he disagrees that anything inappropriate occurred as the attorneys appeared before the board.

Chase said the issue of the amended site plan is if it requires the driveway maintenance agreement it creates a hardship during the negotiations.

Stabile said he will check in with Replansky to see why it is required, but he understands how it creates a hardship. Stabile said a new easement wasn't needed, just the original one from the original application, but it seems it wasn't completed.

Approval of June Minutes: Stabile asked for a motion to accept the June meeting minutes, motion by DiMaria, second by Cavey, all in favor, motion carried.

Stabile asked for a motion to adjourn at 9:07PM, motion by DiMaria, second by Chase, all in favor, motion carried.

Respectfully submitted by:

Tricia Devine Michael Stabile

TOWN OF PINE PLAINS PLANNING BOARD

RESOLUTION APPROVING FOR THE APPLICATION OF HTWO PROPERTIES, LLC FOR LOT LINE ADJUSTMENT AND SITE PLAN APPROVAL

WHEREAS, HTWO Properties, LLC is the owner of three contiguous parcels of land located at 2814-2816 Church Street; 2812 Church Street and 2818 Church Street; and

WHEREAS, HTWO Properties has made application to the Planning Board for a lot line adjustment among the three properties, all as shown on a Lot Line Alteration Map for HTWO Properties, LLC dated February 2, 2026 and last revised on May 12, 2026; and

WHEREAS, the lot line adjustment proposes to combine all three lots into one lot containing approximately 2.265 acres of land; and

WHEREAS, the parcel located at 2818 Church Street is presently improved by four buildings containing commercial self-storage facilities for which site plan approval has been previously granted by the Planning Board; and

WHEREAS, the parcel at 2814-2816 Church Street is currently improved by a 1.5 story residential structure; and

WHEREAS, the Planning Board has determined that the lot line adjustment is a Type II action under SEQRA pursuant to §617.5(16) which does not require environmental review; and

WHEREAS, HTWO Properties has also made application for the installation of three additional storage facilities on the merged parcels to be operated as one single commercial storage facility operation; and

WHEREAS, HTWO Properties has also proposed to demolish the existing residential structure and add a farm stand/market, as that use is described and permitted by the Town's Zoning Code; and

WHEREAS, HTWO Properties had previously been granted approval for the installation of an EV charging station on one of the existing storage buildings; and

WHEREAS, the Planning Board has determined that the installation of the additional commercial storage facilities and the farm stand/market are Unlisted actions pursuant to the SEQRA regulations and the Planning Board has conducted a SEQRA review of that aspect of the project and determined that the additional storage units and the farm stand/market will not result in any significant environmental impacts and that a Draft Environmental Impact Statement need not be prepared; and

WHEREAS, the proposed lot line alteration has been reviewed and approved by the Town's Engineer and the Attorney to the Town; and

WHEREAS, the proposed site plan for the additional commercial storage units and the farm stand/market have been reviewed and approved by the Town's Engineer; and

WHEREAS, the Applicant has applied for, and received, approval from the Town's Zoning Board of Appeals for a variance from the maximum permitted lot coverage; and

WHEREAS, the Town's Code Enforcement Officer has determined that the proposed farm stand/market is a retail use permitted under the Town's Zoning Code; and

WHEREAS, the Applicant has prepared a Stormwater Pollution Prevention Plan (SWPPP) and submitted the said plan to the Town Engineer for his approval and to DEC for its approval; and

WHEREAS, the Planning Board opened the public hearing on the said applications for the lot line adjustment and the site plan approval for the expansion of the self-storage facility on June 10, 2026 and closed the public hearing on that same date.

NOW, THEREFORE, BE IT

RESOLVED, that the Planning Board hereby approves the lot line alteration for the above merger of the three parcels, as shown on the Lot Line Alteration Map submitted, and reviewed, by the Planning Board and approves the application for site plan for the expansion of the commercial self-storage facilities on the lots, as merged, and for the farm stand/market as shown on the site plan map subject to the following conditions:

1. That the Applicant cause to be prepared appropriate merger deeds for the said parcels to be forwarded to, and approved by, the Attorney to the Planning Board and after such approval, the deeds shall be duly filed in the Office of the Dutchess County Clerk with proof of filing providing to the Planning Board Chairman;

2. That construction and operation of the storage facilities and farm stand/market be performed in accordance with the site plan approved by the Planning Board;

3. In the event that subsequent to the date of this Resolution, the Town Code is amended by the Town Board to provide that the farm stand/market proposed by the Applicant meets the requirements of a farm market under the Code, as revised, that the Applicant shall, within thirty (30) days of the amendment to the Town Code, make application to the Planning Board for an amended site plan and approval of the farm stand as a farm market in accordance with the amended provisions of the Code.

4. That all application, escrow fees and other charges imposed on this application by the Planning Board in the Town Code shall be paid prior to signing of the amended site plan by the Planning Board Chairman.

The Planning Board members voted as follows:

Michael Stabile, Chairperson	**Aye**
Kate Osofsky, Deputy Chairperson	**Absent**
David Allan, Alternate	**Aye**
Scott Cavey	**Aye**
Rory Chase	**Aye**
Ethan DiMaria	**Aye**
Richard Hermans	**Absent**
Ari Kardasis	**Absent**
Steve Patterson	**Absent**

The Resolution was carried by a 5-0 vote of the Planning Board members on July 15, 2026.

Tricia Devine

TRICIA DEVINE, PLANNING BOARD CLERK, TOWN OF PINE PLAINS

TOWN OF PINE PLAINS PLANNING BOARD

RESOLUTION APPROVING A LOT LINE ADJUSTMENT APPLICATION OF RICHARD J. IRELAND, JR. FOR TWO PROPERTIES LOCATED AT 121 LAKE ROAD AND 3 BFS LANE IN THE TOWN OF PINE PLAINS

WHEREAS, Richard J. Ireland, Jr. is the owner of two adjoining parcels of land located 121 Lake Road and 3 BFS Lane in the Town of Pine Plains, having tax map number 134200-6871-00-133936 (Parcel A) consisting of 0.12 acres and 134200-6871-00-139919 (Parcel B) consisting of 1.68 acres; and

WHEREAS, the Applicant is seeking a lot line adjustment which will result in Parcel A increasing its acreage to 0.68 acres and Parcel B decreasing its acreage to 1.12 acres, all as shown in a Lot Line Adjustment Map prepared by Spencer S. Hall, Land Surveyor, dated April 5, 2022; and

WHEREAS, the proposed lot line adjustment has been reviewed, and approved by, the Town's Consulting Engineer and by the Town's Attorney and has been determined that the same is acceptable in form and content; and

WHEREAS, the Planning Board has determined that this is a Type II action under SEQRA which does not require environmental review; and

WHEREAS, the Planning Board determined that this lot line adjustment does not require a public hearing to be held by the Planning Board.

NOW, THEREFORE, BE IT

RESOLVED, that the Planning Board hereby approves the lot line application of Richard J. Ireland, Jr., as shown on the said Lot Line Adjustment Map, dated April 5, 2022; and be it further

RESOLVED, that the Applicant shall cause to be prepared two merger deeds for the new lots created by the lot line adjustment and submit the same to the Attorney to the Town for his approval; and be it further

RESOLVED, that the Planning Board Chairman is authorized to sign the said Lot Line Adjustment Map when the same is submitted to him in final form and to provide proof of the filing of the Lot Line Adjustment Map and the merger deeds in the Dutchess County Clerk's Office; and be it further

RESOLVED, That all application, escrow fees and other charges imposed on this application by the Planning Board in the Town Code shall be paid prior to signing of the amended site plan by the Planning Board Chairman.

The Planning Board members voted as follows:

Michael Stabile, Chairperson	**Aye**
Kate Osofsky, Deputy Chairperson	**Absent**
David Allan, Alternate	**Aye**
Scott Cavey	**Aye**
Rory Chase	**Aye**
Ethan DiMaria	**Aye**
Richard Hermans	**Absent**
Ari Kardasis, Alternate	**Absent**
Steve Patterson	**Absent**

The Resolution was carried by a 5-0 vote of the Planning Board members on July 15, 2026.

Tricia Devine

TRICIA DEVINE, PLANNING BOARD CLERK, TOWN OF PINE PLAINS

TOWN OF PINE PLAINS PLANNING BOARD

RESOLUTION APPROVING THE AMENDED SITE PLAN AND SPECIAL USE PERMIT APPLICATION OF BRIAN SELLER, BENJAMIN ABRAHAMS AND CHRISTOPHER GOMPRECHT WITH CONDITIONS FOR A NEW YORK STATE LICENSED RETAIL CANNABIS DISPENSARY LOCATED AT 7723 SOUTH MAIN STREET, PINE PLAINS, NEW YORK

WHEREAS, Brian Seller, Benjamin Abrahams and Christopher Gomprecht submitted an application to the Town of Pine Plains Planning Board on or about March 19, 2025 for site plan and special use permit approval to construct and operate a New York State licensed retain cannabis dispensary on the property located at 7723 South Main Street, Pine Plains, New York (Tax Map No. 13400-6871-06-398968-0000); and

WHEREAS, the property consists of 2.48 acres located at 7723 South Main Street, Pine Plains, New York which property is within Hamlet Main Street (H-MS) Zoning District in which a cannabis retail dispensary is permitted pursuant to site plan and special use permit approval issued by the Planning Board pursuant to the provisions §275-55(OO) of the Town Code; and

WHEREAS, the proposed cannabis dispensary is to be located as a adaptive reuse in a 635 sq. ft. building previously utilized as a weigh station; and

WHEREAS, the building is to be accessed by a driveway across Railroad Avenue, which is a Town road; and

WHEREAS, the applicant has submitted a proposed site plan for the facility, which includes, among other things, the proposed septic system location, parking area and handicapped access; and

WHEREAS, water supply to the facility is to be provided by the Pine Plains Water Improvement Area (PPWIA); and

WHEREAS, the facility is required to be licensed by the Office of Cannabis Management; and

WHEREAS, the Planning Board assumed the role of lead agency for environmental review of the application pursuant to New York State Environmental Quality Review Act (SEQRA) and designated this action as an Unlisted Action under SEQRA; conducted a coordinated of this action with all involved and interested agencies, including, but not limited to, Town of Pine Plains Highway Department, NYS Department of Transportation, the Dutchess County Health Department and the Dutchess County Department of Planning and Development; and

WHEREAS, the Planning Board conducted several workshop meetings on this application and conducted a public hearing which was opened on August 13, 2025 and closed on November 12, 2025; and

WHEREAS, §275-55(OO) of the Town Code enacted by Local Law No. 1 of 2023 provides, in relevant part, that a cannabis dispensary shall not be located and/or operated within 300 feet of a structural facility providing, whether wholly or partially, an "essential public service"; and

WHEREAS, the proposed facility is proposed to be located within 300 feet of Pine Plains Fire Department and the Pine Plains Post Office; and

WHEREAS, the Planning Board has been advised through the Attorney to the Town that subsequent to the adoption of Local Law No. 1 of 2023 the said distance requirements of the Town Code have now been preempted by §131(2) of the NYS Cannabis Law and may not be enforced by the Town of Pine Plains Planning Board with regard to this proposed facility; and

WHEREAS, the Planning Board has reviewed Parts 1 and 2 of the Full Environmental Assessment Form and determined that this action did not have a potential for any large significant impacts on the environment and, as a result, the Planning Board on November 12, 2025 issued a Negative Declaration and determined that a Draft Environmental Impact Statement (DEIS) need not be prepared and submitted by the applicant; and

WHEREAS, the site plans for the facility submitted by the applicant indicated that the property may, in the future, be further developed to include an ice cream shop and/or a supermarket within two other existing buildings located at the site, but that the plans for such facilities have not been developed at a point where there can be a meaningful environmental review of those proposed facilities in conjunction with this application, but the Planning Board has taken into account certain aspects of the potential future plans for those two buildings in its SEQRA review of the proposed retail cannabis facility; and

WHEREAS, the application has been referred to Dutchess County Department of Planning and Development which expressed concern about the future development of the site for ice cream parlor and/or a supermarket but has agreed at the SEQRA review and permitting of such future uses can be deferred to a later date when the development plans are fully developed and ready for submission to the Planning Board with the understanding that the Planning Board retains jurisdiction to conduct an additional SEQRA review of such facilities; and

WHEREAS, the approved site plan provided for handicap access ramp to the facility; and

WHEREAS, the Planning Board has determined that alterations and improvements to the property in 2021, which were approved by the Building Inspector who issued a Certificate of Occupancy for the improvements, did not rise to the level of a significant alteration to the property which required the installation of a handicap access ramp to the facility under applicable state and federal ADA statutes; and

WHEREAS, the Applicant has submitted a revised site plan for approval, which excludes the handicap access ramp on the plans.

NOW, THEREFORE, BE IT

RESOLVED, that the amended application for special use permit and site plan approval for this facility is hereby granted subject to the following conditions:

1. That the applicant obtain a driveway permit for the facility from the Pine Plains Highway Superintendent which requires, in relevant part, as follows:

    (a) Installation of a catch basin in the parking lot for water runoff;

    (b) A business apron for entrance with a minimum pipe under apron as laid out in the driveway permit requirements with a pavement at the entrance 24 feet wide with 8 foot shoulders;

    (c) Installation of "No Parking" signs on both sides of the entrance;

    (d) Such other requirements as may be reasonably imposed by the Highway Superintendent prior to issuance of the permit.

2. That the applicant prior to the issuance of a Certificate of Occupancy for the facility shall submit to the Town of Pine Plains Code Enforcement Officer and the Chairman of the Planning Board a NYS license to conduct a retail cannabis dispensary operation at the subject property and that the applicant conduct the business in accordance with all conditions placed upon the license and all conditions included in this Resolution.

3. That in the event the applicant proposes any additional construction for use on the said site, that all such additional uses shall require applications to the Planning Board for special use permit and site plan approval with the understanding that the Planning Board reserves the right to reopen the SEQRA review of the use of this property in conjunction with any such future applications.

4. That all application, escrow fees and other charges imposed on this application by the Planning Board in the Town Code shall be paid prior to signing of the amended site plan by the Planning Board Chairman.

The Planning Board members voted as follows:

Michael Stabile, Chairperson	**Aye**
Kate Osofsky, Deputy Chairperson	**Absent**
David Allan, Alternate	**Aye**
Scott Cavey	**Aye**

Rory Chase	**Aye**
Ethan DiMaria	**Aye**
Richard Hermans	**Absent**
Ari Kardasis, Alternate	**Absent**
Steve Patterson	**Absent**

The Resolution was carried by a 5-0 vote of the Planning Board members on July 15, 2026.

Tricia Devine

TRICIA DEVINE, PLANNING BOARD CLERK, TOWN OF PINE PLAINS