

March 14, 2024

**PINE PLAINS PLANNING BOARD MEETING MINUTES**  
**Wednesday, March 13th, 2024**  
**7:30 PM**  
**In Person and Zoom**

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

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

**ABSENT:** Vikki Soracco

**ALSO PRESENT:** Warren Replansky, Town Attorney, in person  
Ed Casazza, Town ZEO, in person  
Kevin Walsh, Town Liaison, in person  
Jeanine Sisco, Town Board Member  
Marcus Andrews, Applicant, in person  
Marie Stewart, Applicant, in person  
Wesley Chase, Representing Applicant, in person  
Alexander Ferrini, Representing Applicant, in person  
Jack Meccariello, Applicant, in person  
Members of the Public, in person

**Stewarts Shops Corp Lot Line Adjustment:** Stabile read the resolution (see attached). Stabile asked for a motion to accept the resolution as read, motion by Patterson, second by Osofsky, roll call vote: Osofsky, aye, Blackburn aye, DiMaria aye, Hermans aye, Patterson aye, Cavey aye, Stabile aye, all in favor, motion carried.

**American Legion/Tower Pizza Site Plan:** Marie Stewart, commander of the local American Legion, explained that last May, the Legion and Jeff, proprietor of Tower Pizza, entered into an agreement for a formalized parking lot behind the American Legion. George Keeler, chaplain of the Legion, approached Chairman Stabile and, at the time, code enforcer, Drew Weaver,

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and asked if any special permits would be needed. Stewart said they were told they would not need any permits. Stewart said the parking lot was created, and everything was going well, but in October they received a letter from Weaver saying that there had been some complaints and now they would have to fill out some permits.

Stabile said to correct the record, he was spoken to about the parking lot by Keeler at a function in town. Stabile said he did say that Keeler should speak to Weaver, although he didn't think there would be a problem, and Weaver would need to speak with the town engineer. Stabile said after Weaver spoke with the town engineer he found out the parking lot is considered an impervious surface since it will be driven on multiple times, and therefore drainage, etc., should be looked at.

Stewart then deferred to Wesley Chase, to go over the technical aspects of the application. Chase said there isn't much parking in the center of town, so any off-street parking helps the community. Chase said the Legion utilized the black top area that was preexisting and added gravel around it to create more parking spaces. Chase said there was a complaint that water was pooling by the neighbor's property at 11 North Main Street. Chase said he has gone and observed the parking lot several times after heavy rains and he has not observed any pooling of water. Chase said the percolation rate of those soils are the best you are going to get.

Stabile asked if the area would only be used for parking. Stewart said currently yes, but they entered into an agreement with Jeff, owner of Tower Pizza, allowing them to use the area if the American Legion or VFW has any sort of event, i.e. use for a barbeque area, etc.

Stabile said the town engineer will need to look at the site.

Stewart said she was told that lighting was an issue, i.e. lack of lighting. Stabile asked Stewart if they put in lighting and she replied no. Chase said he feels it is safe to walk out to your car. Stewart agreed and there are streetlights and ambient lighting. Stabile asked Replansky if they were required to put in lights if they did not want to. Replansky replied that for safety purposes there should be some. Stabile asked if they have to mandate that. Replansky said the board should defer to Schmitt, town engineer.

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DiMaria asked if the application would need to go to the county DOT. Stewart said they were told by Weaver it would not need to since the driveway was off of another driveway. Replansky said he thinks there should be a sign off from the DOT that they do not have jurisdiction over it.

Replansky said there will need to be a maintenance agreement between the two properties and Stewart replied that they already have that.

Stabile asked for a motion to set a public hearing for April 10<sup>th</sup> at 7:30PM. Motion by Blackburn, second by Osofsky, all in favor, motion carried.

Chase said he is looking for some waivers for the site plan requirements. Replansky suggested Chase send the list of the waivers he is looking to obtain.

Chase said they have asked the snowplow operator not to push the snow up at the north end where there is a fence separating the property from the neighbor's. Stabile asked if there was any type of berm there and Chase replied it ends and then fades back counter with the virgin grade.

Stabile said the town engineer will inspect the property and the board will visit the site on their own time.

**Cichetti Slaughterhouse Site Plan/Special Use Permit:** The applicant's attorney, Alexander Ferrini, said he would be representing Matthew Cichetti, as he had a family emergency. Ferrini said the Cichettis, together with Sugar Hill Farm, would like to put in a slaughterhouse.

Ferrini said there is an exemption in zoning for agricultural structures and coming before the planning board and this structure would qualify as that. Stabile said the issue is if they are slaughtering any animals that are not their own it then that the difference between going to Ag & Markets or coming before the planning board. Taking in other customers makes it a commercial operation and requires a special use permit. Jack Meccariello of Sugar Hill Farm said they may end of doing that so they will continue the process with the planning board.

Stabile asked Casazza what a slaughterhouse falls under in the zoning for a special use permit - Casazza replied manufacturing.

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Stabile asked if they had any elevations, or how tall the new structure would be. Meccariello replied for slaughterhouse purposes you need height to hang the animals. Stabile said the board would like to see some elevations then.

Meccariello said the slaughterhouse will be 500 ft from the road but they do plan to add some trees, etc. anyway. DiMaria asked how many feet it would be from the current farm road to the proposed entrance it would be. Meccariello said it is centered from the top of the hill to the corner.

Stabile said a DOT and driveway permit will be needed. Stabile asked if there would be a sign. Meccariello replied a small sign and Stabile said it would need to be shown on the site plan. Stabile also said exterior lighting should be added to the site plan.

Stabile said a public hearing could be set after the board receives a completed site plan.

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

**Other Business:** Stabile asked Casazza if the daycare is operating. Casazza replied that the applicant has not been back. DiMaria asked Casazza to speak to the new owners of the car wash about removing their "Grand Opening" feather flag.

Stabile asked about the zoning regarding flashing lights because El Guacamole has strobe like lighting. Casazza will look into this.

Stabile then asked for a motion for the board to go into an executive session/attorney client meeting with Replansky for reasons of pending litigation. Motion by DiMaria, second by Patterson, all in favor, motion carried. No decisions were made while in the executive session.

Motion to adjourn at 8:26pm by Blackburn, second by Hermans, all in favor, motion carried.

Respectfully submitted by:

Tricia Devine

Michael Stabile

**TOWN OF PINE PLAINS PLANNING BOARD**

**RESOLUTION APPROVING THE APPLICATION OF STEWART'S SHOPS CORPORATION FOR A LOT LINE ADJUSTMENT/MINOR SUBDIVISION**

**WHEREAS**, Stewart's Shops Corporation submitted an application to the Planning Board for a lot line adjustment between parcel number 6871-00-443943 owned by Stewart's Shops and the adjoining parcel number 6871-00-437906 owned by Dale Mitchell; and

**WHEREAS**, the lot line adjustment proposes to add a .223 acre parcel from the Mitchell parcel and combine the same with the Stewart parcel to create a new overall parcel of 1.729 acres; and

**WHEREAS**, the purpose of the lot line adjustment is to provide additional acreage to locate the Stewart's Shops property's septic system expansion area, as required by the Dutchess County Department of Health; and

**WHEREAS**, the application was reviewed and considered by the Planning Board, its Engineer and Attorney at the Planning Board's February 14, 2024 meeting; and

**WHEREAS**, the Planning Board had reviewed the environmental impacts of the Stewart's Shops expansion in conjunction with a previous application to the Planning Board and reviewed the Short Form Environmental Assessment Form in conjunction with this application and determined that the lot line adjustment would not have the potential for any significant environmental impacts so as to require a Draft Environmental Impact Statement; and

**WHEREAS**, the Planning Board determined that, based upon the nature of the application, the lot line adjustment would not require a public hearing and, therefore, the Planning Board waived the requirement of the public hearing.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Planning Board hereby approves the proposed lot line adjustment, as depicted on the Survey Map Boundary Line Adjustment prepared by Richard Paul Hanback, Land Surveyor, dated February 5, 2024; and be it further

**RESOLVED**, that the Stewart's Shops shall prepare and file a deed combining and merging the .223 acre parcel with the remaining parcel of Stewart's Shops, subject to the approval of the Attorney to the Town and, upon such approval, shall file the same in the Dutchess County Clerk's office with proof of filing provided to the Attorney to the Town and the Planning Board Chairman; and be it further

**RESOLVED**, 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>Aye</b>    |
| <b>Ethan DiMaria</b>                  | <b>Aye</b>    |
| <b>Richard Hermans</b>                | <b>Aye</b>    |
| <b>Vikki Soracco</b>                  | <b>Absent</b> |
| <b>Steve Patterson</b>                | <b>Aye</b>    |

The Resolution was carried by a 7-0 vote of the Planning Board members on March 13<sup>th</sup>, 2024.

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