

January 9, 2008

**PINE PLAINS PLANNING BOARD MINUTES  
JANUARY 9, 2008**

**IN ATTENDANCE:** Don Bartles, Chair  
Jon DePreter  
Bruce Pecorella  
Vikki Soracco  
Kate Osofsky  
Ken Mecciarello (arrived 7:35 pm)

**ABSENT:** Brian Coons

**ALSO PRESENT:** Ray Jurkowski  
Ross Williams  
Nan Stolzenburg  
Warren Replansky (arrived 7:45 pm)  
George Keeler  
Millerton News  
Register Herald  
Nelson Johnson  
Alex Durst  
Nine members of the public

Chairman Bartles called the meeting to order at 7:30 pm.

**PARACO GAS:** Bartles advised that the agenda originally called for Paraco Gas to be first. Bartles explained that Paraco's attorney, Richard Olson, called and asked for a postponement of the continued discussion on the site plan review until the February meeting. Bartles stated that since there was no one at the meeting representing Paraco, the Board would leave the public hearing open but adjourned and resume discussion at the February meeting.

**CARVEL:** Bartles advised that the Board would be continuing the completeness discussion. Bartles asked Stolzenburg and Jurkowski for their comments. Stolzenburg passed out an updated draft resolution and public notice. Proper advised that the telephone/fax numbers on the resolution were still not correct. Stolzenburg stated that on page 2 of the resolution, the fourth whereas down was changed to state that the Board has reviewed the comments of Milan's ex-officio members. Stolzenburg asked Proper if the Town's website address was correct. Proper stated yes. Stolzenburg asked for the Carvel website address. Stone advised that it is [www.Carvelpropertydevelopment.com](http://www.Carvelpropertydevelopment.com). Stolzenburg asked if the Town's website would have all of the documents. Proper stated that it would not be possible but Karen Pineda had spoken to Chazen and they will be setting up a link to the DEIS. Stolzenburg advised the Board that they have to go over the dates and concur that the dates, times and places work for them. Stolzenburg advised that the end time was taken off of the notice and just the start time was put in. Stolzenburg stated she also took off the specific location in the high school. Pecorella

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stated that he had reserved all the dates and the cafeteria is probably the best place to hold the hearings. Pecorella stated for the first meeting, he reserved the auditorium. Pecorella stated he needs to know if any microphones or anything else would be needed. Stolzenburg stated that, subject to the Board checking the dates, she added the inclement weather dates into the notice because she felt they needed to be advertised. Stolzenburg stated that they originally were going to have the third hearing at the Carvel Country Club but, at the request of Milan, changed to the Milan Town Hall. Stolzenburg stated that the applicant agreed. Stolzenburg stated that an explanation was also added for that hearing. Bartles advised that the regular planning board meeting of March 12<sup>th</sup> will not be held at the Town Hall and, after the Board's discussion at the February meeting, if they feel another regular meeting date should be set, they will do so. Stolzenburg stated that the February 29<sup>th</sup> date was chosen to try to accommodate the folks who are only here on the weekends. Stolzenburg stated the most important question is whether or not the Board feels the document is ready to be deemed complete. Stolzenburg asked the Board if they had any questions or comments on any chapters or any changes. Bartles asked Stolzenburg if she feels the document is complete. Stolzenburg stated she sent a memo earlier in the week on Chapter 2 which was the last one to have changes made to it. Stolzenburg stated she talked to Replansky and they feel that the changes made in the last week or so clarified the phasing. Stolzenburg stated that the Board will have to see if any substantive issues come up during public comment but she is satisfied and comfortable with it. Bartles asked the Board if they feel comfortable at this point adopting the resolution. Short discussion followed. Ross Williams stated that, given the volume of this, it would be very helpful to have information sessions in both towns that were not public hearings but an opportunity for the applicant to present their proposal. Williams stated that his concern is that people will come to the hearings unprepared and making comments. Williams stated it would be helpful to the applicant if there were presentations to the public in both towns. It would prepare the public. Bartles stated that there is a significant presentation at the first hearing. Stone stated the presentation will be over an hour in the first hearing. Stone stated they thought they would do an abbreviated presentation in the subsequent meetings. Short discussion followed. Bartles asked Williams if he was thinking of something in Milan. Williams stated he had talked to the applicant about having an information session in Milan and the applicant stated they would when the DEIS was complete and he feels it would be helpful to do it. Stone suggested they do a presentation at the public hearing in Milan. Bartles asked if that could be worked out. Discussion followed. Stone stated that possibly at 7pm at the Milan meeting they could have a presentation tailored to Milan. Jurkowski asked if there would still be public comment after that presentation. Stone stated yes. Jurkowski stated that would make for a long meeting and wanted to make sure it was okay with the Board. Bartles stated it would be better than having another meeting and feels that Stone can tailor the presentation to the specifics of Milan. Stolzenburg asked if the notice should indicate this. Bartles stated if she feels it would make it more comfortable. Osofsky stated she felt the notice should indicate what is going on. It was agreed to indicate this in the notice. Bartles asked if anyone has any known conflicts with the proposed dates. Board indicated they had none. Bartles stated that it was very important to have a quorum at each of the hearings. Bartles asked the Board to let him know as soon as possible if any conflicts arise. Bartles asked Replansky for his thoughts and brought him

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up to speed on what had been discussed prior to his arrival. Nelson Johnson encouraged the Board to adopt the resolution. Bartles read the resolution (attached) into the record. Jon DePreter made a motion to adopt said resolution; second by Bruce Pecorella. Bartles asked for a roll call vote which follows: Vikki Soracco: aye; Ken Mecciarollo: aye; Bruce Pecorella: aye; Don Bartles: aye; Jon DePreter: aye; Kate Osofsky: aye. Brian Coons was absent for the vote. Resolution passed 6:0. Stolzenburg asked if Milan has a website because the notice states it will be posted there. Williams stated yes. Williams gave the website address [www.Milan-ny.gov](http://www.Milan-ny.gov) Stolzenburg asked Replansky if the Board needed to formally adopt the public notice. Replansky stated no. Stolzenburg advised she would make the necessary changes in the resolution and notice and get them to Proper right away. Replansky stated he thinks there needs to be a referral to Dutchess County. Replansky stated it needs to be a formal submission. Replansky stated he would work with Proper on this. Replansky asked if there was a copy of the application and plans that could be sent to the County. Stolzenburg stated that is all part of the DEIS. Replansky stated he would do the cover letter for submission. Bartles stated he has the 239 forms and instructions at work. Stolzenburg asked if the DEIS goes with the notice. Replansky stated yes. Stone stated they would have to settle the logistics of getting the copies to Proper for mailing. Replansky asked if Chazen could make the submission to the interested and involved agencies if Proper provided them with the signed notice. Chazen stated yes. Proper advised she would provide the signed notice as soon as possible. Chazen stated that Proper would have to do the ENB notice. Stolzenburg stated she would help Proper with the notice. Bartles stated that a milestone had been reached.

**MICHAEL AMELIO:** Michael Amelio and his attorney, Steve Patterson was present. Bartles stated that Amelio had come before the Board previously because he wanted to build a garage on his property. Bartles gave Replansky a copy of the previous meeting minutes. Replansky stated this is not a home occupation because the zoning law defines home occupation as a business customarily conducted primarily in the dwelling. Bartles asked what the classification for this would be. Discussion followed. Patterson stated that Amelio wants to have a desk upstairs in the garage for his plumbing business. Pecorella stated when Amelio first came to the Board the garage was for storage, now if he wants to have the office, the Board should be reviewing as a site plan review. Osofsky agreed. Discussion followed. Pecorella stated that Amelio wants to do it the right way and he feels the Board should do a site plan review which includes the public hearing so his neighbors can offer their opinions. Soracco stated when he first came to the Board Amelio stated the garage was just for storage. She stated that the minutes reflect that if the garage was going to have a commercial use, the Board told him he would have to come back in front of them for a review. The Board advised that Amelio would need a variance from the moratorium. Replansky reviewed the letter received from Drew Weaver with regard to Amelio being exempt from the moratorium for this project. Amelio stated the office would be used approximately two hours per day. Discussion followed. Replansky stated that it is exempt from the moratorium although Weaver had the wrong section of the law in his letter. A site visit was set up for Saturday, February 9 at 9:30 am. Amelio was given an application packet to complete. Patterson asked if the applicant could do sheet rocking. Bartles stated Amelio could do anything that Weaver

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agreed upon as far as the original project was concerned. Bartles asked if the plans submitted to Weaver were specific and did not show an office. Amelio stated that nothing has changed structurally. Bartles stated that he feels Amelio can continue with what the original plan showed. Pecorella stated that he wanted the minutes to reflect that Amelio can continue with what the original plan showed but has to have site plan review for the office. Pecorella stated he feels Weaver should get a letter from the Board. Bartles advised Amelio that he would contact Weaver if he had any concerns.

**OTHER BUSINESS:**

Replansky advised that he sent Paraco an escrow agreement and asked for \$5,000. This was based on his discussion with Stolzenburg. Replansky stated he hoped to have that resolved before the February meeting.

Motion by Pecorella; second by Soracco to accept the December 2007 minutes as submitted. All in favor.

Motion by Pecorella to adjourn; second by DePreter. All in favor.

Respectfully submitted by:

Nancy E. Proper  
Secretary

Donald Bartles, Jr.  
Chair