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PINE PLAINS PLANNING BOARD MINUTES
Wednesday September 14th, 2022
7:30 PM
In Person and Zoom

IN ATTENDANCE: Michael Stabile, Chairman, in person
Scott Cavey, Alternate, in person
Dick Hermans, in person
Kate Osofsky, in person
Vikki Soracco, in person

ABSENT: Al Blackburn, Alternate
Ethan DiMaria
Ken Meccariello
Steve Patterson

ALSO PRESENT: Warren Replansky, Town Attorney, via Zoom
George Schmitt, Town Engineer, in person
Drew Weaver, ZEO, via Zoom
Sarah Jones, Town Liaison, in person
David Birch, in person
Brian Keeler, in person
Doug Larson, via Zoom
Marie Stewart, in person
Three Members of the Public

Chairman Stabile opened the meeting at 7:38 pm with a quorum present.

Stabile welcomed the new alternate, Scott Cavey, to the board.

David Birch Lot Line Adjustment Public Hearing Continuation:

Stabile reviewed the application and said there is a proposed multiple parcel subdivision on Bean River Road, but at the time the board is only dealing with the current application of one parcel of 3.782 acres and a lot line adjustment. In the future if Birch goes ahead with the subdivision, they will come out of the twenty acres remaining after the lot line adjustment. Since the board is already aware of the proposed subdivision, this will need to be taken into consideration.

The board then reviewed the Ag Data Statement received from Birch. There was one farm listed, Peter Cichetti's farm.

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Cichetti then informed the board that there are two other farms within 500 feet.

Stabile then asked Replansky how it should be handled that Cichetti is saying there are other farms not on the Ag Data Statement. Replansky said all the farms within 500 feet need to be identified and receive a copy of the Ag Data Statement.

The board then discussed the notices sent, as some adjacent landowners did not receive their copy of the notice of the public hearing. Stabile said we must make sure that everyone who has an interest in this application is notified.

Schmitt said the Ag Data Statement is a special notification for nearby farmers that goes above and beyond the standard notification. Schmitt said it is required by law.

Stabile asked if any members of the public would like to speak. A nearby landowner, and farmer, Jesse Conklin, said he was just informed of the application last night and would like more time to think about it.

Cichetti, also a nearby landowner, and farmer, said he expressed his grievances at the previous meeting. He also said since then he has looked at more data and the intersection, he is concerned with at Bean River Road and Rt 199. He said the sight distances at this intersection are subpar and even worse when on a tractor.

Conklin said he is concerned about the water table. Stabile asked Birch if the one house on the parcel will be torn down or sold and renovated. Birch replied that an interested party will be buying the house and using the existing well. Stabile said the water table really refers to the subdivision application, not the lot line adjustment.

Osofsky informed the concerned members of the public that if this application for the lot line adjustment goes through, Birch is aware that it does not mean the subdivision will be approved.

McKaige, an adjoining landowner, expressed concern over the vernal pond on the property. Stabile said it would be on the twenty-acre parcel. McKaige asked if Birch would own it and Stabile replied he does currently.

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Soracco asked if the other farm shown on the map is in the Town of Ancram. Osofsky replied yes, it is. Cichetti asked if they should be notified as well since they are within 500 feet.

Stabile asked Replansky if the people in Ancram would need to be notified. Replansky thought the adjacent farm should be notified with the Agricultural Data Statement.

Birch said the parcel for the lot line adjustment has no impact on the surrounding farms whatsoever. Stabile said it's the fact that it is in the ag district. McKaige asked if the rest of the property is considered agricultural too. Stabile replied to no. Schmitt said the percentage of the property in the agricultural district doesn't matter, if it's in, it's in.

Stabile asked if anyone else would like to say anything. Jones said she is concerned about the issue of the easement with the driveway. Stabile asked Birch if it is an existing driveway that has an approval from the county. Birch said he spoke with the county guy and he was fine with the way it is. Stabile asked Birch if had the easement drawn up. Birch had not, so Stabile reminded him he would need to do this.

Stabile asked Replansky if there were any other issues. Replansky replied he will need to see a shared driveway agreement and that the ag data statement will need to be done correctly. Replansky said he does not have to see the shared driveway agreement for approval but we would make it a condition for approval.

Stabile asked Replansky if there were any other issues. Replansky said he couldn't hear the concerns regarding agricultural. Stabile replied that the main concern is the increased traffic on Bean River Road approaching Route 199.

Soracco asked what zone the parcels are in. Jones replied it is the Hamlet Zone.

The Stissing Center Site Plan Amendment: Keeler from The Stissing Center explained to the board what they are trying to accomplish. He said the project began 7 years ago and from the beginning it was their intent to do a design build process all at once. Keeler said since then some things have changed, one being deciding to go a phasing construction. Keeler said they have also acquired the property to the west of the building since last coming to the planning board.

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Keeler said they purchased the property because the former owner wouldn't give them a construction easement or allow them to use the driveway.

Stabile asked Keeler if they previously came to the board to add a portion. Keeler replied they had come back to the board for their initial amendment to move the transformers and utilities because they were so far from the building.

Keeler said originally Replansky wanted them to have an easement with the The Stissing House to use their parking lot for ingress and egress since The Stissing Center had no other way to get behind their building. Keeler says now they can access it directly by using their property purchased. Stabile asked if they still have the easement and Keeler replied yes, it is written into the deed.

Keeler said their original handicap parking is back behind the building and the only way to walk to the front of the building is around it on the east side. Keeler said with the new property it would make the handicap parking closer to the handicap access door on the west side. Soracco asked if it was directly behind the house and Keeler replied yes. Keeler said they would like to asphalt it in so that they may paint it and have it to code.

Keeler said they had a fence around where the previous utilities were and now they would like to fence in the new area where the utilities are.

Keeler said they would like a lit sign by the parking on Church Street and to make the entrance one-way. Soracco asked how big and tall the sign will be. Larson said it was not dimensioned on those plans. Larson said this was more of an informal review and if the planning board requires additional information, they are happy to provide it. Schmitt then explained a bit more how the one-way entrance would work, i.e. obtaining a sign from the DOT.

Keeler said they initially proposed a porch for the cellar on the east side and are now abandoning that idea and are just making it a single entrance with a pergola with lighting that will be pointing down to light the stairway and entrance. Keeler said currently the stairs are there, as well as the platform and entrance. Stabile asked about drainage and Keeler replied there is a drain at the bottom of the stairs and they also have a drywell.

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Keeler said they would also like to discuss lighting with the board as during the holidays last year customers were saying there wasn't enough lighting when entering and leaving the building to the parking lot. Keeler said he discussed with his electrician putting in walkway lights but when Keeler left for the holidays, and upon his return the lights had already been installed. Keeler said they were installed to point straight out and he had them pointed down after seeing them that way the first night. Soracco said they could also change the ice blue lights in them and Keeler agreed and said they would not have been his first choice. Keeler said they would still like to use them after a show for about twenty minutes until they get their final light fixture approval. Stabile asked if they could change the color temperature on them and Keeler replied they can or get different fixtures. Soracco said the fixtures are fine, it's just the brightness of them. Keeler said in the short term he can tape gels onto them. Larson said they would need to change the actual fixture to change the color temperature. They are currently around 5000 kelvins and they'd like to be at 2700 kelvins.

Stabile asked if people would be walking in the same area where people are driving in. Larson said yes, that is what they do now and at The Stissing House Restaurant and all over Pine Plains. Stabile asked how wide the driveway will be. Larson said they are going to maximize the area that is there.

Keeler said they were going to install a ramp into a commercial kitchen that will be downstairs but are no longer doing this because they will now be adding an extension to the back.

Soracco asked about a concrete wall. Schmitt said he felt we were heading into a segmentation talking about future work and future phases. Schmitt feels we should see the whole thing at once for SEQR purposes. Replansky feels there should be a project narrative to further explains things since a site plan hearing will probably be necessary. Hermans asked if it would be for this proposal or for the build out over the next fifty years. Replansky said if they have the plans for the next fifty years then yes, but we do want to see what the immediate plans are.

Larson said the driveway is 14 feet wide which is the most it can be without tearing down the house next door. Stabile asked how wide a driveway needs to be to have a car go through and Larson replied 10 feet.

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Schmitt then went over some things to include on the site plan. Stabile asked what the white area was on the plans. Keeler said it was originally going to be a retaining wall for the proposed ramp. Stabile asked what a certain door was on the plans. Stewart and Keeler said it is currently not being used. Stabile asked if it was part of an emergency exit and they replied to no. Larson said it is a service door for the kitchen.

Hermans asked about handicap access to the cellar portion. Keeler replied it is through the building. Stewart replied they only have one handicap access. Keeler then went over the other exits of the building.

Stabile asked the distance of the property line from the retaining wall and railing. Keeler believes it is about five feet. Larson said it is mostly lawn right now with a fence in the middle between the Stissing Center and The Stissing House Restaurant. Keeler said The Stissing House Restaurant married their fence to theirs and they are aware the fence is on their property line but it is with permission.

Soracco asked where the proposed fence in the back would start. Keeler said it would start where the garage use to be and will surround the utilities. Larson said they were going to carry it around to the catholic church's lot per a request from the neighbors there. Soracco said this would cut off the other properties, i.e. if Champetre needs to get a septic truck behind their property. Keeler said it would be open at the end and a gate will be built in. Soracco said everyone feels the need to put a fence up in town. Keeler said if it was his preference, he would not do it but the neighbors nearby requested it. Larson said they are required to put a fence up around certain utilities.

Keeler and Stewart said that Champetre uses their parking lot for staff parking and food deliveries. Stabile said are they doing this without permission and Stewart replied it's just what they do. Larson said there is no easement with them. Keeler said there are some Saturday nights when their entire parking lot is filled with The Stissing House's parking.

Stabile asked why the fence was requested. Keeler said the neighbors requested it because they feel The Stissing Center is intruding. Soracco said there already is a fence there put up by the neighbors.

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Soracco asked if the front is part of their new plan and Keeler and Stewart replied no.

Stabile asked about something else on the front on the site plan. Keeler said right now the front has two banners and underneath is a stairway that is made of wood and is temporary so eventually the railing will need to be replaced with steel. Once it is done, they are trying to figure out how to do an unintrusive marquee.

Some other questions came up and Schmitt said this is where the narrative would be very helpful. Stabile asked Replansky if the Stissing Center has a major piece that received prior approval, but is not on this new site plan, does it create a problem and should it be included. Replansky said to show it on the map that it was part of the original approval but that it is currently not being developed. Replansky said they will not lose any of their rights in terms of what was already approved.

Stabile said it drainage, permeability, etc. should be shown where the driveway will be paved.

Stabile suggested a table on the new plans showing what was previously approved, what they are looking for now, etc.

Larson asked if the board thought it would go to a public hearing and Replansky replied that yes, he would advise that there should be one. Soracco suggested a site visit as well.

Other Business: Stabile asked Replansky if the board's comments would be needed by tomorrow regarding the solar law since that is when the public hearing is. Replansky said it would be nice to get the comments by tomorrow but the vote will probably be next month, so additional time shouldn't be a problem.

Osofsky brought up an excess amount of speed limit signs put up on Schultz Hill Road. Soracco said the speed limit was recently changed on that road.

Approval of August Meeting Minutes: Motion by Hermans second by Osofsky to approve the August meeting minutes, all in favor, motion carried.

Motion to adjourn at 9:12 pm by Soracco, second by Hermans, all in favor, meeting adjourned.

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Respectfully submitted by:

Tricia Devine

Michael Stabile