


THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	February 23, 2005
Present:	Michael Grogan, Chairman Dr. George Coulter Michael Cerny Janet Couch
Also Present:	Gene Richards, Dufresne-Henry Engineers Richard M. Rang, P.E. – Toll Brothers, Inc. Franco Pagano, P.E. – Toll Brothers, Inc.
In the Audience:	Robert Liffland, Mayor Tracy Durkin, Trustee Allan Rundall, Trustee Robert Murphy Earl Slocum John Benson Robert Marvin, Esq.



On Wednesday, February 23, 2005 at 7:00 PM, the Planning Board met for a regularly scheduled meeting in the first floor meeting room in the Village Hall at 9 Memorial Avenue. The meeting was called to order by Chairman Michael Grogan and began with the roll call as above indicated and conducted by the Planning Board Secretary, Jennifer Zamora.

New Business

Toll Brothers, Inc. – Umscheid Property

Richard Rang stated that they met with the Umscheids and discussed the possibility of a development concept on their property and are now ready to present this to the Planning Board and would like guidance from the board on how to move forward. Toll Brothers is proposing an active adult community for people 55 years and older with no children associated with the community. The units will be clustered in one location, and the underlying zoning currently is an R-1 zone, 40,000 sq ft. zone. This project does not conform to that zone. They did look through

the code and one code that seems to be allowable is the senior housing overlay zone which is a special use permit application which is defined for a non for profit organization. Mr. Rang then showed and explained the layout of the property. The plans have respected the wetlands and the 100 ft. buffer associated with the wetlands. The balance of the property would remain forever open space. Toll Brothers has a proposal in for 3 individual lots which could easily be subdivided out as conforming residential lots in the underlying zones as well as subdividing out the property where the existing Umscheid residence is now. The Umscheids would like to keep the pond on their property. Mike Grogan asked if there are wetlands on the property. Mr. Rang said that there is which the DEC provides for a 100 ft buffer which they have respected on the layout. In the package that Toll Brothers has given is a concept of the carriage homes they are proposing which is designed for age qualified individuals in other words, the master bedrooms would be downstairs typically another bedroom would be upstairs. Mr. Rang said it would be a good fit for the community and a fine need for this type of product in the Northeast especially with baby boomers reaching that particular age bracket right now and empty nesters that are looking for eliminating the need for maintaining their property and own a luxury home. Dr. Coulter asked if it was along the lines of Heritage Hills. Mr. Rang said it was a similar concept. Mr. Pagano said it was low maintenance living. Mr. Rang said there would be a home owners association formed to manage the properties; all of the on site work would be managed by the H.O.A. The residents wouldn't have to mow the lawns or plow the street. Toll Brothers is proposing that the road coming in to be entirely owned and managed by the H.O.A. so there will be no maintenance responsibility by the Village as well as the refuse collection on site would be managed on site by the H.O.A. Dr. Coulter asked if the entrance would be off of Lakeside Drive and one off of Grandview Avenue. Mr. Rang said "yes" the primary entrance would be on Lakeside Drive and the Grandview Avenue entrance would be an emergency entrance with a break away gate if preferred. Mr. Pagano said that part of the parcel would not be developed. Toll Brothers will provide a conservation easement over the balance of the property so all of the open property will never be developed in the future as well even if the wetland laws change. Ms. Couch asked if Toll Brothers has studied the road, Lakeside Drive with respect to the narrowness, curves and traffic.

Mr. Rang said they expect most of the traffic to come into this community from the village. With only 50 units they expect the majority of the buyers would be from this immediate area. At the present time Mr. Rang doesn't think that there is too much of an issue associated with the volume of traffic generated in the service community, particularly when you factor in the peak hour traffic rates, which are at a different hour in an adult community than a commuter or for a typical single family residence. They are not necessarily going out or coming in at the same time as someone going to work. There will still be some traffic generated at peak hours but most should be spread out throughout the day. Dr. Coulter stated that Lakeside Dr. is fairly narrow. Mike Cerny stated that it is a common cut through over to the other side of town such as heading towards Poughkeepsie. Mr. Rang said if it is a concern of the Village Toll Brothers will study it. Mr. Rang asked if the Village is entertaining a sidewalk project going up Charles Colman Blvd. which supposedly is ending at Lakeside Drive. There was a discussion on possibly merging this project to benefit the adult community. Also the Greenway Plan was discussed to extend the walking trails through the community as well. Ms. Couch asked what Toll Brothers plans were for water and sewer. Toll Brothers plan is to install a well as well as a necessary treatment process so that they can connect that to the Villages system to be another source of water for the overall system and then dedicate that to the Village. As far as wastewater is concerned, the property is about 2500 ft from the plant, and they would like to expand upon the existing district if possible, to incorporate that and pay a capital improvement contribution towards the future expansion of the plant. Their preference is that they can tie into the existing facilities. Toll Brother's had a fiscal impact analysis performed and gave each board member a copy. Mr. Rang referred to the summary on page 2 of the package which stated the estimated revenue surplus from the Active Adult Community which was based upon the 2004 budgets from the Village of Pawling, Town of Pawling and Pawling Central School District. The annual public cost associated with this 50 unit community is around \$50,000.00 per year. The annual public revenue is about \$350,000.00 per year leaving net revenue generated from this project of approximately \$300,000.00 per year. Mr. Rang believed that \$225,000.00 would go towards the school district, \$50,000.00 would be village surplus and \$30,000.00 would be Town. From a tax generation perspective, it's a tremendous

asset to have an Active Adult Community in the village. Dr Coulter asked what would happen if one of the residents in the community had their grandchildren move in with them. Mr. Rang said the impact on the school would be minimal and there would be certain restrictions in the H.O.A. documents with how the property would be utilized in the future. Mr. Pagano said that each unit would be 1900 – 2400 sq. ft., and each would have a two car garage. Janet Couch asked if a swimming pool or tennis court was to be proposed. Mr. Rang said that the community is very small for those facilities and that the town has those facilities right across the street from this property. Mike Cerny stated that there is a zoning law and that the village has to abide by the law. Mr. Cerny asked Mr. Rang if Toll Brother's would be going to the Village Board to get a zoning change. Richard said they are anticipating that a zoning amendment or modification will be required to support this community. Mr. Cerny said that the Planning Board is constrained by the laws and this project must be referred to the Village Board. Toll Brother's was hoping that the plan would fall within the guidelines of the Senior Housing Overlay Zone. Mr. Rang said that they could provide the village with a draft zoning code that could be considered by the Village Board to adopt that would allow this type of community in the Village of Pawling. A discussion of how Toll Brothers would market the project took place. Mr. Rang expects the entire community to be sold out within two years of breaking ground. Mike Cerny asked Toll Brother's to keep in mind that the Great Swamp runs through the property which will be an area of concern in terms of development and how that issue is treated and addressed. All agreed. A discussion of Toll Brother's experiences with housing developments and where they are located took place. Mike Grogan asked where the contractors are from. Mr. Rang answered local subcontractors would be used. Dr. Coulter asked what the next step for Toll Brother's is. Mike Cerny answered the Village Board. Mr. Rang said they would make an application to the Village Board. Mike Grogan told them to fill out an application and set up an escrow account. Mr. Grogan felt that this project is something that the community is looking for and that it is a good fit. Mike Cerny stated that the best fit might be to try to modify the senior housing special permit to address and allow for something like this. Gene Richards asked Mr. Rang when they worked up this plan they understood what the current zoning is and in order to prove out any cluster development a lot

count must be proven and they came up with the number of 17 lots. Mr. Rang answered yes. Gene Richards said if you apply the maximum bonus density of one and a half that gives you 25 lots, Gene Richards asked if they considered what would happen to their project if there is no favorable response by the Village Board to the zone change. Mr. Rang said the village would lose tax revenue if it was a single family community and that Toll Brothers was advised on more than one occasion that the Village is very sensitive to those tax revenues and school district impact. Mike Grogan opened the discussion to the public who gave their comments to Toll Brother's. Mike Grogan asked if there were any other questions that the Planning Board Members had for Toll Brother's. All answered no. Mr. Rang said that their next step would be to appear before the Village Board to discuss the potential for modification of an existing zone that might apply or draft an age qualified community zone for adoption. Mike Cerny said that they must have subdivision approval, complete a site plan application and special use permit as well. Mike Grogan told Toll Brother's to complete the site plan, subdivision and special use permit applications and set up an Escrow account for \$5,000.00 and to make arrangements through Jennifer Zamora. Mr. Rang thanked the Planning Board for entertaining their presentation.

Other Business

Mike Grogan said that the only old business is the outstanding invoice for Tom Nicks. The secretary answered yes. The Chairman said that that might be something that the Planning Board would like to present to the Village Board to discuss adding outstanding charges to the tax roll on said pieces of property. Mike Cerny said that he remembers that David A. Daniels had looked into this in the past. Jennifer Zamora stated that in order to do that the Village Board would have to pass a resolution. Mr. Cerny thought that there was a State Statute that establishes what could be put onto tax rolls. Mike Cerny said that this shouldn't happen in the future with setting up escrow accounts first and replenishing the funds when needed. Jennifer Zamora said that the most current conversation regarding this issue was at the last meeting and that she asked the Village Clerk what to do and she stated to approach the Village Board to pass the resolution.

Mike Grogan said that the last subject on the agenda is the Dutchess County Land Use Leaders Training and Certification Program and he felt that we should put that onto the next meeting schedule.

Approval of Minutes

Motion to approve the minutes of December 4, 2004 and January 12, 2005 meeting was made by Mike Grogan and approved by Dr. Coulter. All were in favor and the motion carried.

Adjournment and Next Meeting Date

MOTION by Mike Grogan to adjourn the meeting. **SECONDED** by Dr. Coulter. There was no discussion; all were in favor and the motion carried. The next meeting is scheduled for March 9, 2005 at 7:00 PM.

Submitted by:

Jennifer Zamora
Planning Board Secretary