

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	February 22, 2006
Present:	Michael Grogan, Chairman Dr. George Coulter Michael Cerny Stan Mersand
Also Present:	Phil DeRosa, Building Inspector Gene Richards of Dufresne-Henry Engineers Joseph Zarecki, Engineer

APPROVED BY
VILLAGE OF PAWLING
PLANNING BOARD
4/12/06

On Wednesday, February 22, 2006 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 Mary Heubel and began with the roll call as above indicated and conducted by the Planning Board Secretary, Mary Heubel.

MIZZENTOP DAY SCHOOL

Mr. Zarecki, engineer for Mizzentop, started the meeting by describing the project. He stated the school is doing well and therefore is looking for additional space for school activities. The plan calls for adding approximately 12,000 sq. ft. They wish to take over the office space on the second floor of the existing Peale building. The school occupies the first floor and eventually will take over the whole area. Mr. Mersand asked if there would be a new floor plan. Mr. Zarecki said the school would be taking over existing space with no floor plan. There will be no changes on the site, no exterior renovations, no signs and no new structures. There will just be a change of use from offices to extra space for the school. Mr. Zarecki further explained that the drop-off and pick up of students will remain the same. Mr. DeRosa asked about the enrollment. Mr. Zarecki said the enrollment will also remain the same. Mr. Mersand asked about special issues for students, fire exits for example etc. All these issues will be addressed by the building department. Mr. DeRosa explained that because this is a school, extra precautions would be taken as was done on previous projects within the school. Mr. DeRosa had Mr. Burden, code enforcement officer, along with the State Code enforcement officer join him in inspecting previous projects and he will ask them to inspect this project also. The building department shall double check everything again under the new building permit. There were no other comments from the Board.

Dr. Coulter made a motion to accept the plan. Mr. Mersand seconded. Mr. Cerny recused himself from voting as he has a child that attends the school. The remainder of the Board agreed and the motion was passed.

Mr. DeRosa questioned whether a public hearing was necessary for approving the Site Plan. Mr. Cerny commented that a public hearing was not required for a site plan under the code and conducting a public hearing is at the board's discretion. There was discussion that no public hearing should be required for the Site Plan approval as there will be no change to the structure.

Dr. Coulter made a motion to waive the public hearing for the Site Plan approval. Mr. Mersand seconded the motion and all were in favor, Mr. Cerny abstaining.

The Board next considered SEQRA. Since the project is not changing the footprint or the flow of traffic and there is no increase in the number of students, the board members commented that there will be no environmental impact to the items identified in EIF.

Mr. Mersand made a motion for a negative declaration, seconded by Dr. Coulter. The motion carried unanimously, Mr. Cerny abstaining.

The Board next took up the Special Use Permit Application. The project would be a changing the use from office space to school use. There was some discussion as to whether there is a need for a new Special Use Permit at all. There is a Special User Permit currently in place at this time for the Site. The question before the Board was whether a new Special Use Permit is required or whether there should simply be an amendment to the existing Special Use Permit for the expanded space contemplated in the Site Plan. The Board observed that a new Special Use Permit requires a public hearing to be held. Dr. Coulter suggested that a public hearing did not need to be held to simply amend the existing permit. Mr. Richards suggested that one option was for the Board to accept the current application as an application for an amendment to the original permit contingent on the advice from the Village attorney as to whether a public hearing is required for an amendment. If it is required, the Board will revisit the issue at a later date, scheduling a public hearing on the amendment of the Special Use Permit and then a new vote.

Dr. Coulter made a motion to approve the applicant's request for an amendment to the existing Special Use Permit contingent on the advice of the Village attorney. Mr. Mersand seconded the motion and all were in favor with Mr. Cerny abstaining.

LOPEZ PROPERTY

Mr. Zarecki described the project. The applicants desire to build a 3 story structure on .04 acres. The total building square footage would be approximately 2100 sq. ft. with retail on the first floor, business offices on the second floor and residential or offices on the third. Dr. Coulter asked about the parking situation. Mr. Zarecki said that they would ask to waive spaces for a fee of \$500 per space. He also stated that the Code for B-1 zone allows for "waived spaces". Depending on the size of the project, Mr. Zarecki figures there would be 8 "waived spaces".

Mr. Zarecki affirmed that the Site Plan before the Board was just a preliminary presentation. If the project was acceptable, Mr. Zarecki would present a much more detailed plan. Mr. DeRosa inquired about the surface under the dumpster. Mr. Zarecki said the surface would either be gravel or black top. He also stated that such concerns as a basement etc. would be addressed after a more complete study. There was concern as to how the building would look next to the Morrison building. Mr. Zarecki said the Code required the Morrison building to be at least 20 feet and the Lopez building would be approximately 15 feet higher.

Mr. DeRosa discussed with the Board the definition of FAR. He stated that he requested the Village Board to clarify the definition of FAR. Mr. DeRosa explained that he reviewed the definitions from other towns when he was working on the Apap matter. Some definitions include crawl space in the gross floor area calculations.

Mr. Zarecki restated that there would be retail stores on the first floor, business offices on the second floor and possibly an apartment on the third. He also said that he believed only one apartment would fit on the third floor. Mr. Mersand asked about the use of an elevator for the disabled. Mr. Zarecki said there would be no problem installing the elevator. Every part of the project would be done to Code.

Mr. Mersand inquired about the parking issue. There was some discussion about parking in the Village. Mr. Cerny informed everyone that the Mayor, Mr. Liffland, and Earl Slocum were working with the businesses and the churches in the area to find a solution to the problem. He also said it was better to have a parking problem than no problem. The parking issue means people are coming to the Village to do business which is what everyone wants.

Dr. Coulter requested Mr. Zarecki to produce a profile on the project.

Mr. Grogan canvassed the Board for moving forward with the project. Each member was in favor of moving ahead.

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Mr. Zarecki explained that they would be moving forward without on-site parking.

The next matter to discuss was the amount of escrow. The secretary asked for a determination of escrow for each project. The Board decided the \$500 in escrow for the Mizzentop Day School project was acceptable. The escrow for the Lopez project was set at \$2000. Mr. Cerny made a motion to set the escrow at \$2000 for Lopez Property. Dr. Coulter seconded the motion and all were in favor.

STONE HILL DEVELOPERS

Mr. Cerny reminded the Board that there will be two (2) buildings on the lot. A question was raised about whether or not the small building would remain on the lot. Dr. Coulter suggested that it would as the Monteleones put a lot of work into the inside of the small building. The Board decided that in order to keep the small building, the Monteleones would need to submit a Special Use Permit application and an escrow fee of \$1000. After much discussion, the Board asked the Secretary to notify the applicants. The public hearing for the Special Use Permit will be combined with the Site Plan hearing on March 8th.

PLANNING BOARD ESCROW ACCOUNTS

Mr. Grogan inquired about the financial situation. The Secretary stated the only big problem was the Baxter Green account. It was decided by the Board, that since the Baxter Green project was taken over by the Village Board, there was nothing the Planning Board could do at this time about the entire situation.

MEETING ADJOURN

Mr. Mersand moved to adjourn the meeting. Dr. Coulter seconded the motion and all members were in favor. The next meeting will be the public hearing on the Stone Hill application meeting and will be held on March 8th at 7 PM.

Submitted by

Mary Heubel
Planning Board Secretary