

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	April 12, 2006	APPROVED BY VILLAGE OF PAWLING PLANNING BOARD
Present:	Michael Grogan, Chairman Dr. George Coulter Michael Cerny Stan Mersand Taren Tanner	
Also Present:	Michael Hayes of Daniels & Porco, Village Attorney Gene Richards of Dufresne-Henry Engineers, Village Engineer Curt Johnson of Zarecki Engineers for Lopez, Mizzentop Projects Lisa Daniels for Mizzentop Day School Matt Moran – Agent for Stone Hill Developers Pete & Christine Monteleone – Applicants for Stone Hill Herbert Lackner – Architect for Stone Hill Developers Jeffrey Contelmo of Insite Engineers for Allison Close Estates	

6/14/06

On Wednesday, April 12, 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.

Allison Close Estates Subdivision

Jeffery Contelmo, Insite Engineer for Allison Close Estates Subdivision, described the proposed project in detail. The project plans to develop 5 one acre lots in an R-1 zone. One lot would be developed off an existing common driveway on West Main Street. The other 4 lots would be developed off an extension to Allison Drive. The proposal is to connect all 5 lots to Village water and sewer. Dr. Coulter asked about the purpose of the proposed right-of-way coming off Allison Circle. Mr. Contelmo explained that an easement went with the deed to the applicant's property for a right-of-way across the property to the Morgan property. Mr. Contelmo further explained that the applicant and engineers have a duty to honor this easement. The deed gives the owner (applicant) the right to relocate the easement. In the Site Plan, the easement will be coming off Allison Circle instead of coming off West Main Street and across the small wetland. There was some discussion concerning the right-of-way to the property directly behind the 4 lot subdivision as well as various easements and common driveways. Mr. Contelmo explained that the project was laid out to conform to the R-1 zoning requirements.

There was also some discussion of the Zoning Code as it applies to major subdivisions and urban regulations. Mr. Cerny suggested Mr. Contelmo present a proposal as to how he, Mr. Contelmo, interpreted the regulations into this project. Mr. Cerny, also, suggested Mr. Contelmo work with Mr. Richards on the proposal. Mr. Contelmo stated he would like to do the proposal.

Mr. Mersand asked if the 5th parcel was a part of the other 4 parcels. Mr. Hayes, after clarifying a few matters about the parcels, stated the 5th parcel was a part of the other 4 lot proposal. It was suggested the Planning Board Secretary send the Code on subdivisions to the Board members.

Mr. Grogan asked that the applicant report to the Board the results of all the conversations the applicant had with the owners of the adjoining properties concerning easements, right-of-way and water and sewer hook-ups. Mr. Richards suggested that once the project was formally presented, the Board members should visit the properties.

Mr. Grogan informed the applicant the escrow would be set at \$5000.

The Board asked if anyone in attendance had one comments to make even though this was not a public hearing. John Boyle, one of the principal applicants on the project, said his company would be building the houses. Dave Kelly, a resident behind the Morgan property, had a question concerning the driveway right-of-way to the Morgan property. Mr. Contelmo explained the right-of-way access to the property. There was more discussion about the right-of-way to the property.

Mr. Contelmo said the applicant would work on the escrow and if the Board accepts the concept, the applicant will work on a detailed plan to present to the Board. Mr. Grogan polled the Board and all members accepted the concept.

Pawling Commons

The applicant for Pawling Commons, through Insite Engineering, will submit an application for an area variance.

Lopez Property

Mr. Johnson, of Zarecki Engineering, discussed the plan for the site on Charles Colman Blvd. Mr. Tanner thought the windows should be arched to continue the line of the Dutcher House. Mr. Mersand discussed the parking spaces. The applicant is willing to work with the Village and also to discuss the possibility of using spaces at the medical building and also the Dutcher house.

According to Mr. Hayes, a waiver could be negotiated for the parking spaces. Mr. Grogan stated that the number of parking spaces would depend on whether the floors are residential or commercial. Mr. Hayes also stated that the Site Plan must indicate whether the second and third floors are residential or commercial. If, after the approval, the use of the second and third floor changes, the owner would need to come before the Board with a Site Plan.

There was some concern about the look of the entrance expressed by Mr. Tanner. He thought the angle of the entrance gave the building an unbalanced appearance. Mr. Tanner suggested a pole at the corner to give a more squared off appearance. Mr. Johnson said that the Plan could be altered to change the appearance.

Mr. Mersand asked if the one doorway would be enough in case of a fire. The windows on the second and third floors could also be used as fire exists.

Mr. Johnson asked for a conceptual approval so the applicant could move ahead on the project. Mr. Mersand said he still had reservations about the parking issue. Mr. Liffland, Mayor, and Earl Solcum both stated that the Village was working on the parking problem. The project, however, is on hold until the Village Green project is completed. Mr. Cerny suggested the Board waive the parking requirement. There was much discussion about the parking problem in the Village. Mr. Grogan suggested the Board move to approve the concept and the parking issue be worked on at a later date.

Mr. Cerny made a motion to approve the concept as it stood. Dr. Coulter seconded the motion and all Board members were in favor.

Mizzentop Day School

Mr. Johnson also represented Mizzentop Day School. Mr. Hayes stated that the Code requires a public hearing for a Special Use Permit. The public hearing was set for April 26th at 7 P.M. (Later changed to April 27th). The escrow was set at \$1500.00.

Stone Hill Developers

Mr. Matt Moran, agent for Stone Hill Developers, informed the Board that the applicants have addressed all the concerns Mr. Richards expressed in his last review of the project. They have received the analysis for the accessory building from Mr. Hayes, the DOT highway permit for the entrance ramp to the property off Route 22, the amended tenancy agreement from the Pawling Joint Sewer Commission and the report from the Fire Marshall. The Fire Marshall, in his report, recommended an additional exit and proper placement of the fire department connection.

The retaining wall and drainage calculations will be ready within the next week, as will any technical issues outstanding, according to Mr. Moran.

Mr. Moran asked for a Site Plan approval conditioned on the acceptance by Mr. Richards of the calculations for the retaining wall and drainage. Mr. Hayes said he was not comfortable with the conditional approval and suggested the issues be addressed and completed by the next Planning Board meeting.

The issue of sufficient parking spaces was voiced by Mr. Cerny. After some discussion, Mr. Hayes advised that the condition for additional parking spaces should be included as a map note on the Site Plan. This would allow the Planning Board to come back to the applicant and require the applicant to provide additional parking spaces as needed.

Mr. Hayes, next, discussed the need for a super majority to vote on declining the Dutchess County Dept. of Planning and Development's recommendations for the Site. Mr. Cerny could not be present for the next scheduled Planning Board meeting and Mr. Tanner could not say whether he would be able to vote against the recommendations at that time. A super majority would require 4 votes against the recommendations. After some discussion, the Board agreed to reschedule the meeting and take the vote on Thursday, April 27th. Mr. Mersand, Mr. Tanner and Mr. Grogan scheduled an open meeting at the site on Route 22 and Pine Drive for Saturday, April 15th at 8:30 A.M. to walk the site. Mr. Hayes instructed the Board that such a meeting of three or more Board members would constitute an open meeting.

Mr. Mersand made a motion to have a special meeting on Saturday, April 15th at 8:30 A.M. Dr. Coulter seconded the motion and all Board members were in favor.

Mr. Mersand made a motion to schedule the next Planning Board meeting on Thursday, April 27th at 7 P.M. in the Village Hall. Mr. Cerny seconded the motion and all Board members were in favor.

Mr. Cerny made a motion to schedule the Public Hearing on the Mizzentop Day School Special Use Permit on Thursday, April 27th at 7 P.M. at the Village Hall. Mr. Mersand seconded the motion and all Board members were in favor.

Other Business

Mr. Cerny made a motion to approve the Minutes of February 22nd. Dr. Coulter seconded the motion and all Board members were in favor.

Dr. Coulter made a motion to approve the Minutes of March 8th. Mr. Cerny seconded and all Board members were in favor.

Creitoff Escrow

Mr. Grogan informed the Board that the Secretary has made numerous attempts to collect escrow monies from Mr. Creitoff to cover outstanding invoices. To date, the notices have been ignored. The mylar for the lot-line realignment has not been signed or filled with Dutchess County. Mr. Grogan asked Mr. Hayes if the Board could send Mr. Creitoff a letter advising Mr. Creitoff that his property has a serious violation and that monies owed would be added to his tax bill. Mr. Hayes said the Board could send such a letter.

Adjournment

Dr. Coulter made a motion to adjourn the Meeting. Mr. Grogan seconded the motion and all Board members were in favor

Submitted by:

Mary Heubel, Secretary