

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	April 27, 2006
Present:	Michael Grogan, Chairman Dr. George Coulter Michael Cerny Stan Mersand Taren Tanner
Also Present:	Phil DeRosa, Building Inspector Ron Gainer, Stantec , Village Engineer Mr. Monteleone, Applicants of Stone Hill Matt Moran, Agent, Project Manager Joseph Zarecki, Engineer, Mizzentop Day School Michael Hayes, Daniels & Porco Village Atty. Wendy McKenzie for Mizzentop Day School Tracy Durkin

APPROVED BY
VILLAGE OF PAWLING
PLANNING BOARD

6/14/06

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VILLAGE CLERK

On Thursday, April 27, 2006 at 7:00 PM, the Planning Board met for a special 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 – PUBLIC HEARING

Mr. Zarecki, engineer for Mizzentop Day School, briefly explained the project to all present. He stated that the enrollment at the school is now at 168 and can expand to 224 students. There would be no change to the exterior of the building. Mr. Mersand asked if the school could handle 224 students and Mr. Cerny asked if this number fit the Code. Mr. Zarecki explained the Code would allow 340 students. This, however was not the mission of the school.

Mr. DeRosa informed the Board that Mizzentop Day School (MDS) had not submitted any plan for the 12,000 square feet.

Ms. McKenzie explained that the 12,000 square feet has come available and the school would like to lease the extra space and thus relieve some of the scheduling issues the school is now experiencing, for example, language arts classes using the computer labs. She went on to say the school may not use all of the space immediately but it would give them the flexibility to arrange classes in the future.

Mr. Tanner asked for the square footage being occupied now by the school. Mr. Zarecki said 29,000 sq. ft. are currently being occupied.

Mr. DeRosa asked if the bus traffic and student drop-off would remain the same. Mr. Zarecki said nothing will be changed.

Mr. Cerny made a motion to open the Public Hearing. Mr. Mersand seconded and all Board members were in favor.

A neighbor on Townsend Blvd. has several concerns relating to children coming on the neighbor's property and the removal of hazardous materials last spring. Mr. DeRosa said the Building Department was not notified of the hazardous material removal.

Mr. Ortega asked about the lighting. He said the night security lighting shine on the surrounding properties.

Concern was again voiced about the contamination possibility. Mr. Cerny remarked that all these concerns were to be forwarded to the Building Department. Mr. DeRosa explained that when MDS applies for a building permit all issues of concern will be addressed.

Another neighbor explained that the concerns of the neighbors relate to the fact that the neighbors are not made aware of what is going on. Communication would help alleviate the problem.

Mr. Ortega asked about the windows on the second floor and if the lights from those windows would be shining on the neighbors' properties. Mr. Cerny stated the new addition would be a good distance from the neighbors.

Mr. Mersand moved to close the Public Hearing. Dr. Coulter seconded the motion and all members were in favor.

Mr. Hayes suggested the Board review SEQR with respect to what was discussed at the Public Hearing. Mr. Grogan thought most of the issues were Building Department matters. Concerning the children on the neighbors' properties and the insurance for this, Mr. Hayes said the insurance concerns are beyond the scope of any Village Board.

Mr. DeRosa requested the instructions for the exterior lighting be part of the Site Plan. The Building Department will review the Plan and make sure the project conforms to the Site Plan. Mr. Hayes said the lighting issue was a SEQR issue. The Board could reaffirm the original SEQR declaration and add the lighting requirements.

Mr. Grogan moved to reaffirm the initial negative SEQR with the additional condition of lighting. Mr. Mersand seconded. Mr. Cerny abstained and all other Board members were in favor.

Mr. Mersand went on record by stating that the Planning Board and the Village Board are very aware of neighbor relations. The neighbors need look no further than how the Board handled the Donelan project. The MDS will be held to the same standard.

Dr. Coulter made a motion to approve the Site Plan. Mr. Grogan seconded. Mr. Cerny abstained and all other Board members were in favor.

STONE HILL DEVELOPERS

Mr. Matt Moran, Agent for the Developers, discussed the open issues stating that they have been completed. Mr. Moran indicated that a second walk around the property was conducted for those Board members unable to attend the first meeting at the site. Ron Gainer stated his office had no issues with the building and its design. He indicated the few minor items which needed to be added to the Site Plan.

Mr. Hayes stated the Board could approve the Plan conditioned on the addition of the extra notes.

Mr. Mersand made a motion to approve the Site Plan conditioned on the added notes from Mr. Gainer. Dr. Coulter seconded the motion and all Board members were in favor thus producing a 5-0 super majority and thereby rejecting the Dutchess County Dept. of Planning and Development's recommendations.

Mr. Hayes instructed the Board to file the rejection letter with the County within 10 days.

Mr. Cerny moved to adopt the letter to the Dutchess County Dept. of Planning and Development with changes in the count (5-0) and the date. Dr. Coulter seconded and all Board members were in favor.

TRACY DURKIN SPECIAL USE APPLICATION

Ms. Durkin wishes to apply for a Special Use Permit for a home occupation. She would like to turn the garage on her property at 113 Charles Colman Blvd. to a framing shop. The property is in a R-3 zone. Mr. Hayes stated the standards for home occupations are in 98-79 of the Code. Mr. Cerny asked if a special use permit ran with the land. Mr. Hayes said it did as long as the new owner continues to operate a frame shop. Anything else would necessitate the owner coming before the Board with a new application.

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There was some discussion about special use permit running with the property. Mr. Grogan asked about the noise factor from the equipment used in making the frames. Ms. Durkin listed the equipment needed. None of which are any louder than a lawn mower.

There was also some discussion about parking. Ms. Durkin said she can fit 4 or 5 cars on the property and there is also street parking on Charles Colman Blvd. She also stated that her business would be run on an appointment basis.

Mr. Gainer stated that since there would be no changes to the property, the survey could be used as the Site Plan.

Mr. Cerny made a motion to use the survey as the Site Plan. Mr. Tanner seconded and all Board members were in favor.

Mr. Gainer said Ms. Durkin needed to file a short EAF form. Escrow was set at \$500 and the Public Hearing was set for 6/14/06. Mr. Cerny suggested the public notice should state the hearing will be for the Site Plan and Special Use Permit for home occupation.

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

Submitted by

Mary Heubel
Planning Board Secretary