

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	January 10, 2007
Present:	Michael Cerny, Acting Chairman Dr. George Coulter Taren Tanner
Also Present:	Phil DeRosa, Village Building Inspector Barbara Lanman, Owner of B&B Deborah DeWinter, Owner of B&B Michael Hayes, Village Attorney Curt Johnson of Zarecki Engineering for the B&B and Mr. Lopez Rob Liffland, Mayor Robert Murphy, Trustee

APPROVED BY
VILLAGE OF PAWLING
PLANNING BOARD

2/28/07

On Wednesday, January 10, 2007 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. Michael Grogan and Stan Mersand were absent

CONCEPT DISCUSSION

Bed & Breakfast Site Plan and Special Use Permit Applications for 105 West Main Street

Curt Johnson of Zarecki Engineering stated that the bridge over the stream leading to the property was being repaired with a permit from the DEC and the house was also being renovated. The applicants have come before the Board to effect the conversion of the house into a bed & breakfast. The plan calls for a drainage trench across the back of the property to catch any water coming off the hill. The plan also calls for six parking spaces, two for the owners and four for the guests.

Mr. DeRosa asked about an area to pull off the road leading to the house because it is narrow. Mr. Johnson said they can definitely supply pull-offs for emergency and opposing traffic.

Dr. Coulter asked about the sidewalks. Mr. Johnson said they will utilize the existing sidewalks across the road which go into the Village.

Page 2
Planning Board Minutes of 1/10/07

There was some discussion about the sign for the B&B and the placement of the sign. Mr. Johnson said, ideally, the sign could go on the stone pillars at the end of the road. Mr. Hayes explained the applicants for the B&B and the owners of Allison Close Estates can work out cross easements or license agreements for the private road and the sign. Mr. Cerny stated the Board would include in the Site Plan a license agreement for the sign. The applicant would need the sign to conform to the new B&B law.

Mr. DeRoda asked about installing the sewer lines while the bridge is being repaired. Mr. Liffland said each house should have their own ¾" line.

Mr. Cerny, then, took up the process of declaring the Planning Board as the Lead Agency for the project and SEQRA review. Mr. Hayes said the referrals would be the same as for Allison Close, that is, the DEC and the Joint Sewer Commission. Mr. Hayes went on to say the Board should set up a public hearing and declare itself Lead Agency on that night.

Mr. Tanner made a Motion to circulate the Board's intent to act as Lead Agency. Dr. Coulter seconded the Motion and all Members were in favor.

Mr. Cerny made a Motion to schedule a public hearing on February 14, 2007. Dr. Coulter seconded the Motion and all Members were in favor.

Lopez Site Plan

Mr. Johnson explained the project. The applicant, Mr. Lopez, wishes to erect a mixed-use building on the corner of Arch Street & Charles Colman Blvd. Mr. Lopez came before the Board in August, 2006. It was decided at that time to add two parking spaces behind the proposed building. This would create an issue of increasing the impervious surface of the lot beyond the allowable 75%. The coverage would be increased by 15% to 90%. The applicant went before the Zoning Board of Appeals (ZBA) for an area variance. The ZBA granted the area variance. The applicant is back before the Planning Board for approval of the Site Plan.

Mr. Cerny asked about the mixed-use. Mr. Johnson said the first floor will be commercial use and the second and third floors would each have a two bedroom apartment.

There was much discussion concerning the number of families per portion of an acre and a mixed-use building. Mr. Hayes explained the number of families per portion of an acre would apply only in a multiple dwelling situation. Multiple dwellings, as defined in the Local Law, means three or more unit in a dwelling. Since the Lopez mixed-use building only includes two units, the number of families per acre does not apply.

Page 3
Planning Board Minutes for 1/10/07

Mr. Tanner asked about the brick on the corner of the building. There was some discussion about the look of the building with the corner wrapping around to the Arch Street side. Mr. Johnson said they could narrow the front windows and use more brick so the building doesn't give the appearance of possibly being unstable. They could also use brickwork around the door.

Mr. Hayes discussed referrals and Lead Agency declaration. It was determined that neither referrals nor Lead Agency declaration was needed for this project. The Planning Board could do SEQRA at the February 14th Meeting. Mr. Hayes said it was up to the Board whether or not to schedule a public hearing for this project. Mr. Cerny expressed his views on the necessity of a public hearing so the public can be heard. He suggested having the 14th as the day for the public hearing.

Mr. Cerny made a Motion to schedule a public hearing on February 14th. Mr. Tanner seconded the Motion and all Members were in favor.

Jimenez Site Plan

Mr. Johnson explained the project which was also a mixed-use building. It would consist of a deli on the first floor and two apartments, on the second and third floors, above the deli. Currently, the site is being occupied as a boarding house.

There was a discussion about the present use, that of a boarding house, which is illegal. The Board wants the apartments to function and look like apartments which are legal. Mr. Hayes said the Board cannot limit the size of the families moving in but it can stop the use if it continues to act as a boarding house. Mr. Cerny stated he was concerned about the size of the bedrooms and the current design continues to set it up as a boarding house. He asked about limitations in the Code. Mr. DeRosa said the bedrooms must be at least 7 feet by 10 feet. The bedrooms appear large enough for two persons per room. Mr. Johnson asked if two three-bedroom apartments would be more acceptable to the Planning Board. Mr. Cerny said that it would be acceptable. He, also, said the Site Plan should include plans for the ground floor since the way the applicant is using the ground floor has not been previously approved.

Mr. Cerny, next, asked about the parking. He stated the parking is causing a hazard for the people coming down the hill on Smith Street. The people need to inch out onto Memorial Avenue before they can see any oncoming traffic. Rob Liffland, Mayor, stated he thought the deck was part of the hazard problem. There was discussion about the deck. Mr. Johnson said the deck extends about 8 feet out from the property line leaving 8 feet of sidewalk. Mr. Tanner asked if there was a building permit for the deck. Mr. Cerny said he didn't see one when he reviewed the file.

Page 4

Planning Board Minute for 1/10/07

Mr. Cerny asked the Board for comments concerning the parking. Dr. Coulter said the applicants should negotiate with the present owners of the adjacent property to allow parking on that property. Mr. Cerny said he saw signs on Smith Street along the side of the building that said, "Resident parking only". Rob Liffland stated the Village did NOT put those signs up. Mr. Cerny stated the signs must come down. Mr. Hayes explained the Site Plan might include an agreement with the adjacent owners whereby the Planning Board must be notified 90 days before the agreement expires. The applicant must be made aware of the burden the parking issue puts on the Village. Mr. Johnson stated the parking will be addressed.

It was agreed that the Jimenez Site Plan application would be discussed again at the February 14th Meeting.

Other Business

Mr. Cerny addressed the MS4 regulation. Mr. Hayes said there is a time constraint on the implementation of this regulation. He stated his office would prepare the document for the Planning Board. Mr. Cerny explained that once the Board gets the document, they can review it, make recommendations, vote to accept and then refer it to the Village Board. Mr. Hayes stated his office could have something for the Board by January 24th. Then, a date could be set for a review with the Engineer and Mr. Hayes. The regulation must be adopted by March 9th but the Village Board could ask DC Planning for an extension.

Minutes of 12/13/06

Mr. Cerny made a Motion to approve the Minutes of the 12/13/06 Meeting. Mr. Tanner seconded and all Members were in favor.

Creitoff Lot Line Mylar

The Secretary informed the Board that the extension for filing the Mylar has expired and the Board needs to grant an extension. Mr. DeRosa reviewed the project and informed the Board of the problems which have yet to be resolved. The owner holds a mortgage on the property which was to be given the town and until the bank signs a release for the piece of property, the town will not sign the Mylar.

Mr. Cerny made a Motion to extend the approval of the Mylar another six months. Dr. Coulter seconded the Motion and all Members were in favor.

Page 5
Planning Board Minutes of 1/10/07

Adjournment

Mr. Tanner made a Motion to adjourn the Meeting. Dr. Coulter seconded the Motion and all Members were in favor.

Submitted by:

Mary Heubel
Planning Board Secretary