

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

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| Date: | July 11, 2007 |
| Present: | Michael Grogan, Chairman Dr. George Coulter, Member Michael Cerny, Member Stan Mersand, Member |
| Also Present: | Michael Hayes, Village Attorney Larry Tomasso, Building Inspector Barbara Lanmam, Applicant Deborah DeWinter, Applicant Bruce Major, Owner of Allison Close Curt Johnson, Engineer for the Applicants |

APPROVED BY
VILLAGE OF PAWLING
PLANNING BOARD

8/8/07

On Wednesday, July 11, 2007 at 7:00 PM, the Planning Board met 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. Mr. Tanner was absent.

OTHER BUSINESS

MS4 Workshop

Mr. Grogan stated Bart Clark is putting the finishing touches on the draft MS4 Modal Law. Mr. Hayes will, then, review and the Board will sign off on the draft.

Minutes of 5/9/07 Meeting

Dr. Coulter made a Motion to adopt the Minutes of the 5/9/07 Planning Board Meeting. Mr. Mersand seconded the Motion and all Members are in favor.

Minutes of 6/6/07 Meeting

Dr. Coulter made a Motion to adopt the Minutes of the 6/6/07 Planning Board Meeting. Mr. Mersand seconded the Motion and all Members are in favor.

CONCEPT DISCUSSION

Pawling House Site Plan and Special Use Permit

Mr. Cerny asked what Mr. Johnson was looking for. Mr. Grogan stated Mr. Johnson was looking for a conditional approval of the Site Plan with the recommendation from Stantec held as a contingent to a final approval. There was some discussion as to whether the

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Minutes of the 7/11/07 Planning Board Meeting

sewer and water lines are in place or need to be installed. Ms. DeWinter said Mr. Johnson was at the site that day and he said all the lines were present. Mr. Hayes stated the plans must show the recommendation as stated in the 6/7/07 Stantec review. At this point, Mr. Johnson had not arrived for the Meeting.

Mr. Hayes said no approval can be given tonight because corrections must be made on the plan before it can be approved and signed.

Mr. Mersand said that Mr. Hayes needs to see and approve the sewer agreement and the corrected Site Plan before the Board can sign off on the project.

There was a discussion about the next meeting. The Board suggested the 18th for the next Meeting.

Mr. Tomasso told the owners that there are state regulations for operating a B&B. He said he would fax the regulations to the owners. Mr. Cerny said the owners obtained a building permit for renovations on a single family home. He asked Mr. Tomasso if the owners would need another building permit for the B&B. Mr. Tomasso said "Yes, they would".

Mr. Johnson entered the Meeting and stated the sewer and water issues have been dealt with and there is a signed sewer agreement. The discrepancies in the property lines have been corrected by using the Allison Close survey done by Insite Engineering.

Mr. Hayes said we will still need the sewer agreement and the technical issues corrected on the Site Plan before approval. Mr. Johnson said they could get that done by the July 18th Meeting.

Jimenez Site Plan

Mr. Johnson spoke with Evelyn Galindo, niece, concerning their project. He told her, she had to solve the parking problem and what to do with the front deck. Mr. Johnson said he tried to follow up on a conversation he had with Tracy Durkin regarding the parking issue. Ms. Durkin was going to talk to her father about offering a couple of parking spaces on the father's property. Mr. Johnson has not been able to reach Ms. Durkin.

Mr. Mersand stated he was under the impression that Mr. Joseph Burden, Code Enforcement Officer, issued a violation and order to remedy. Mr. Mersand asked if Mr. Burden could condemn the building. Mr. Hayes said the violation and order to remedy was issued but he cannot shut the building down. Mr. Hayes did say the next step would be to take the offending parties to court. He recommends using the Supreme Court over

the Village Court. He, also, recommends asking the Village Board to authorize litigation by the Supreme Court. Mr. Hayes explained that initially the owner showed a willingness to work with the Planning Board but over time this willingness has waned. Mr. Hayes thinks the litigation should commence. Mr. Hayes said he would make the recommendation to the Village Board. Mr. Cerny asked the Secretary to send a Memo to the Village Board detailing the problem and Mr. Hayes's recommendation.

There was some discussion with Mr. Johnson about the Site Plan which should also include the store. The discussion also included what the Board discovered when they went on the site walk. The Board could see many violations. Mr. Tomasso believes the legal number of occupants for each apartment to be seven (7). He, also, discussed the code size for the toilet, sink and shower. He said, from these sizes, the Board can determine the size of the bathroom.

There was, also, discussion about surveillance of properties where violations of the Code has become an issue. Mr. Tomasso said surveillance should be conducted for about a month which is a problem with only a part-time building department.

Sewer Hook-Up

Mr. Grogan read the letter from the Sewer Commission concerning the increase in the rates. There was discussion about the role of the Board, especially with projects that were before the Board before the rates took effect. Mr. Hayes, strongly, suggested the Board stay out of the sewer issues.

ADJOURNMENT

Mr. Mersand made a Motion to adjourn the Meeting. Mr. Cerny seconded the Motion and all Members were in favor.

Submitted by

Mary Heubel
Planning Board Secretary