

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

APPROVED BY

<b>Date:</b>	May 14, 2008
<b>Present:</b>	Michael Grogan, Chairman Taren Tanner, Member Dr. George Coulter, Member
<b>Also Present:</b>	Larry Tomasso, Building Inspector Mr. & Mrs. Lombardo

VILLAGE OF PAWLING  
PLANNING BOARD

4/11/08

On Wednesday, May 14, 2008 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. Cerny and Mr. Mersand were absent.

**CONCEPT DISCUSSION:**

Lombardo Revised Site Plan

Mr. Grogan asked Mr. Tomasso to explain the project to the Board. The Lombardos wish to erect a partially in-ground pool and to extend the existing deck.

There are two issues with this project – the lot coverage and the rear yard setback. When the Baxter Green subdivision site plan was approved, each lot was given a lot coverage percentage. The Lombardo's lot was assigned 19.7% coverage. Currently, the coverage is 19.6%. This new project would increase the coverage to 30.1%. Mr. Hayes, Village Attorney, explained to Mr. Tomasso that since this project involved the site plan approved by the Planning Board, the project should first come before the Planning Board. Mr. Tomasso said that if the Planning Board thought the project should go forward, the Planning Board should pass it on to the Zoning Board of Appeals (ZBA) with the Planning Board's recommendation for an area variance for the rear yard setback of 26 feet. Forty feet is the minimum setback in an R-1 zone. The Planning Board can, also, deem the project unacceptable.

Mr. Grogan said he had read the letters from Mr. Tomasso, Curt Johnson, Village Engineer, and Mr. Hayes. Mr. Hayes explained in his letter that increasing the footprint on this lot would set a precedent for all the lots in Baxter Green. Mr. Tanner was also concerned about creating a precedent.

There was some discussion about this project and the rest of the properties in Baxter Green with an emphasis on the issue of precedent. Mr. Tanner stated that before the Planning Board could grant relief on the lot coverage issue, the Lombardos would need to seek relief from the rear yard issue by requesting an area variance from the ZBA.

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Mr. Grogan suggested the Lombardos obtain letters from the neighbors on Lots 31, 33, 26 & 27. Dr. Coulter said the people in Baxter Green have put up with a lot and the letters would help. The Planning Board would try to move the project along as quickly as possible. Mr. Grogan was pleased the side-yard setbacks would not be encroached upon. Mr. Grogan said Baxter Green has been a thorn in the Village's side from the beginning and still continues to be. The concern at the start of the Baxter Green project was if one owner was allowed to say, put in a pool, 30 or 35 other owners would wish to do the same and for some properties there would be no room for such additions.

Mr. Grogan said the Lombardos would be seeking in the rear yard a 14 foot area variance. He, also, said the letters from the neighbors and from the Planning Board recommending the project would help to move it along.

**OTHER BUSINESS:**

Minutes from the 4/23/08 Meeting

Dr. Coulter made a Motion to approve the Minutes of the 4/23/08 Meeting. Mr. Tanner seconded the Motion and all present Members were in favor.

**ADJOURNMENT**

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

Submitted by  
Mary Heubel  
Planning Board Secretary