

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

 **DRAFT**

Date:	October 28, 2009
Present:	Michael Grogan, Chairman Stan Mersand, Member Dr. George Coulter, Member Michael Cerny, Member Taren Tanner, Member
Also Present:	Michael Hayes, Attorney for the Village Karl Pfister, Building Inspector Richard & Matthew Carroll, Owner Robert Marvin, Attorney for Galindo Robert Liffland, Mayor Mr. Jimenez, Mr. Galindo, Evelyn Galindo, Owner Earl Slocum, Former Mayor

APPROVED BY
VILLAGE OF PAWLING
PLANNING BOARD

11/11/09

On Wednesday, October 28, 2009 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.

CONCEPT DISCUSSION:

Family Quick Stop Site Plan

Mr. Grogan said all that remained was which style canopy would best fit with the plan for the Village. Mr. R. Carroll said there were 5 drawings to choose from. The Board had received 4 drawings.

Mr. Grogan read architect Curt Johnson's letter of 10/27/09 into the record. (See Attachment)

There was some discussion about where to place the satellite dishes. Mr. Grogan thought about moving the dishes to the back of the building. This would make them less visible from the street. Mr. Carroll said they have extra cable to move them. Mr. Grogan said every store has these dishes and there is no way to control that. It is a part of doing business.

Next, the Board discussed the drainage. Mr. M. Carroll said the canopy would drain into a 6 foot diameter dry well. Mr. Grogan asked why the canopy didn't drain into the storm drains in the street. Mr. R. Carroll said the opening into the storm drain is in front of

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Parrino's building and there is not enough pitch to carry the water. Mr. Grogan asked how deep the well would be. Mr. Carroll said 3 feet. It will be 6 feet diameter by 3 feet deep. It was asked if there was building code requirements for the dry well. The answer was there were none. Mr. Carroll said most stations just drain off. Mr. Grogan said this dry well was an improvement.

Mr. Grogan canvassed the Board for comments. Mr. Mersand said he has no concern about the dishes on the canopy because the parapet is deep enough to hide them. Mr. Mersand likes the peak top. Mr. Cerny was leaning towards the peak top but was now moving towards the mansard top. He likes the lighting. Mr. Tanner likes the mansard but has an issue with the color of the paint on the front of the building. Mr. Carroll said they could change the color. Dr. Coulter liked the peak and Mr. Grogan liked the mansard.

Mr. Mersand asked if they could add two courses on the parapet to make it higher. Mr. Carroll said they could do that. Mr. Carroll suggested they start erecting the canopy and have the Board come and observe. They could then decide whether they liked the extra height or not.

Mr. Mersand asked how the resolution would be worded. Mr. Hayes said it was up to the Board whether they want to make the color of the building a formal condition of the site plan approval or address it informally. If it is to be a formal condition then part of the resolution is you give a time frame by which the coordinated paint coat will be a part. Mr. Grogan suggested giving an eight month window because of the time of the year. Mr. Hayes, also, said there could be financial reasons to give the applicant time. Mr. Tanner said he would go informally, gentlemen's agreement.

Mr. Grogan said we have everything together on color, height, satellite dishes and shingles. The Board, then, gave their preferences for the canopy. Three Members were for the mansard, one for the peak and one either way.

Mr. Cerny made a Motion to approve the canopy for the Quick Stop as described in the 10/27/09 letter from Curt Johnson with 2 more courses above on the mansard and in accordance with the colors stated in the 10/27/09 letter. Mr. Mersand seconded the Motion and all Members were in favor.

Mr. Grogan asked Mr. Carroll to let the Board know when they can come and view the project.

Jimenez Change of Use Site Plan

Mr. Rennia reviewed with the Board the changes to the Site Plan (See Rennia letter attached)

1. The bathrooms were enlarged by using space from the bedrooms.
2. The opening between the living and dining rooms in the first apartment was enlarged to 8 feet.
3. Dimensions for each room was added to the plan.
4. The parking spaces in front of the building were changed from angle to parallel thus making 2 spaces. The parking space in the rear of the building would only fit a compact car. Mr. Hayes said this space could not be counted as a parking space. We know it is there and it could be used for a compact car. Mr. Cerny said we are still looking for a waiver for 7 spaces.
5. The condenser on the north side will be moved to the south side with bushes in front of it. This will make a clear way to the back of the building on the north side.
6. The existing stairs in the rear storage area will be removed and a wall erected.
7. The wall behind the furnace will be extended.
8. The front wood deck will be removed and replaced with a masonry ramp with railing if needed.

Mr. Cerny asked about the difference in the sheetrock between the deli and the residences. Mr. Pfister said the Code states that any renovations done must be brought up to what existed in the building before the renovations.

Mr. Rennia stated there are a number of ways to achieve greater fire retardation. What to use should be answered by the Building Department. The owner may want to price out the different assemblies to see what they can afford.

Mr. Grogan asked Mr. Hayes if this could be left to the Building Department with a recommendation from the Board to suggest a higher rating. Mr. Rennia said the Code calls for nothing. The owner can put in an assembly that gives a rating above the Code. Mr. Rennia said he can go by the standard for the furnace door. Whatever rating that is would be the standard for the ceiling and the ceiling between the uses. Mr. Hayes said we can look at that door as a reasonable benchmark. That is to say – if the door is a certain benchmark, we would be comfortable with the ceilings matching the same benchmark. Mr. Grogan said the Board should ask for whatever the rating for the furnace door needs to be and have the ceiling and ceiling over the cooking area the same rating.

Mr. Rennia said the back steps will be rebuilt.

Mr. Mersand asked if the designation on the Site Plan will remain ground floor, first floor and second floor. Mr. Rennia said it would.

Mr. Cerny asked about the space between the shelves in the deli. Mr. Hayes said they meet requirements.

Next, the Board reviewed the necessity of waived parking spaces. Mr. Grogan stated the project required 9 spaces and the applicant has 2 spaces in front of the building. They would require 7 waived spaces. Mr. Cerny was concerned about people using the crosswalk and stairs especially when cars are parked in front of the building and across the street.

At the last Planning Board Meeting, the Board requested a parking/traffic survey. The Building Department presented the survey conducted by the Department (See attachment).

Mr. Rennia said the idea of parking in the Village area is you park in a spot and then walk around the Village.

Mr. Marvin said the 9 spaces is a calculated number. It doesn't mean that all 9 spaces would be used all the time. Chances are all 9 spaces will probably never be used at once. He believes there is a tendency to overestimate what the parking impact would be here. Mr. Marvin said we need to ask what impact the parking would have on the vicinity of the Site. He said the Village does not have a parking issue as a whole. He believes because of the establishment proposed here, there would not be any significant impact on the area.

Mr. Marvin understands the frustration of the Board. The applicant has a history which is less than perfect. The Board took appropriate steps and had Mr. Hayes take the matter to Court and the judicial process has run its course. The applicants have done their time at a great cost. The applicants have agreed to unannounced inspections. Mr. Marvin said a traffic study is a waste of time and his client's money.

Mr. Cerny is concerned with the safety issues because of the cars parked on the street while going into the deli. There was much discussion about this issue.

Mr. Mersand stated that no one on the Board could justify a study costing approximately \$5000.00.

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Mr. Hayes said there are 2 issues to the parking matter. One was the parking and the other was the traffic. Mr. Hayes stated that the survey by the Building Department clearly shows there is enough waived spots and plenty of extra parking. He went on to say the Board cannot hold the applicant responsible for defects in the existing legal parking spaces.

Mr. Grogan asked Mr. Hayes if the Board was close to finalizing this project. Mr. Hayes said if the Board is on board with the 7 waived spaces and the unannounced inspections, these should be stated on the Site Plan. He, also, said the applicant has addressed all other issues on the Site Plan. Mr. Hayes said the next question is whether the Board wants a Public Hearing.

Mr. Grogan asked Mr. Slocum if he had anything to add. Mr. Slocum said Mr. Pfister and he marked off all the parking spaces and there were more than enough spaces. As for the traffic, if trucks need more space driving down the avenue, cars allow them to pass. The tight squeeze for trucks and cars can be seen on Charles Colman and East Main Street. The store owners need deliveries so all involved work around the temporary inconveniences. Mr. Slocum said if pedestrians step in the roadway without looking both ways, it is their fault. He believes too much is being made of the parking and traffic. It is being blown out of proportion. He, also, said a traffic survey was conducted for the Village in 2004 and not much has changed. Mr. Grogan thanked Mr. Slocum for his input.

Mr. Cerny made a Motion to waive the Public Hearing. Mr. Mersand seconded the Motion and all Members were in favor.

Mr. Hayes said the Board will do a SEQRA and a resolution of approval will contain all the items covered. These items should also appear on the Site Plan.

Mr. Tanner asked about external lighting. Mr. Rennia said he would look into it.

OTHER BUSINESS:

Minutes from the 9/23/09 Meeting of the Planning Board.

Dr. Coulter made a Motion to accept the 9/23/09 Minutes. Mr. Tanner seconded the Motion and all Members were in favor.

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ADJOURNMENT:

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

Submitted by
Mary Heubel
Planning Board Secretary

ZARECKI
&
ASSOCIATES, L.L.C.

October 27, 2009

Engineers • Architects
Surveyors

Joseph Zarecki, PE
Jeffrey Hecker, LS
Curt Johnson, RA

Mr. Michael Grogan, Chairman
Planning Board
Village of Pawling
9 Memorial Drive
Pawling, NY 12564

11 West Main St.
Pawling, NY 12564
(845) 855-3771
(845) 855-3772 Fax
Website: zarecki.com
email: zareckiasoc@earthlink.net

RE: Pawling Quick Stop
West Main Street

Dear Chairman Grogan and Members of the Board:

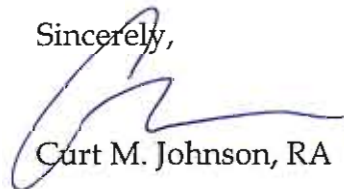
31 Bailey Ave.
Ridgefield, CT 06877
(203) 438-7094
(203) 438-7157 Fax

Our office is in receipt of a package of architectural renderings for the proposed canopy at the referenced project. Based on the options presented, it is my opinion that the option that includes a mansard/sloped parapet, wide fascia, and dentil molding provides the best aesthetic and functional solution. It is our understanding that the mansard design will shield some of the roof-mounted accessories (i.e.: small satellite(s) dish, etc.) that are required for the business. The installation of the canopy structure will provide a visual 'edge' that will assist in completing the streetline along West Main Street.

Also, it is our recommendation the color of the fascia and trim be white and that the roof shingle be of a slate color similar to the existing roofs on the Quick Stop Building and the Dutcher House.

If you have any questions, do not hesitate to contact our office.

Sincerely,

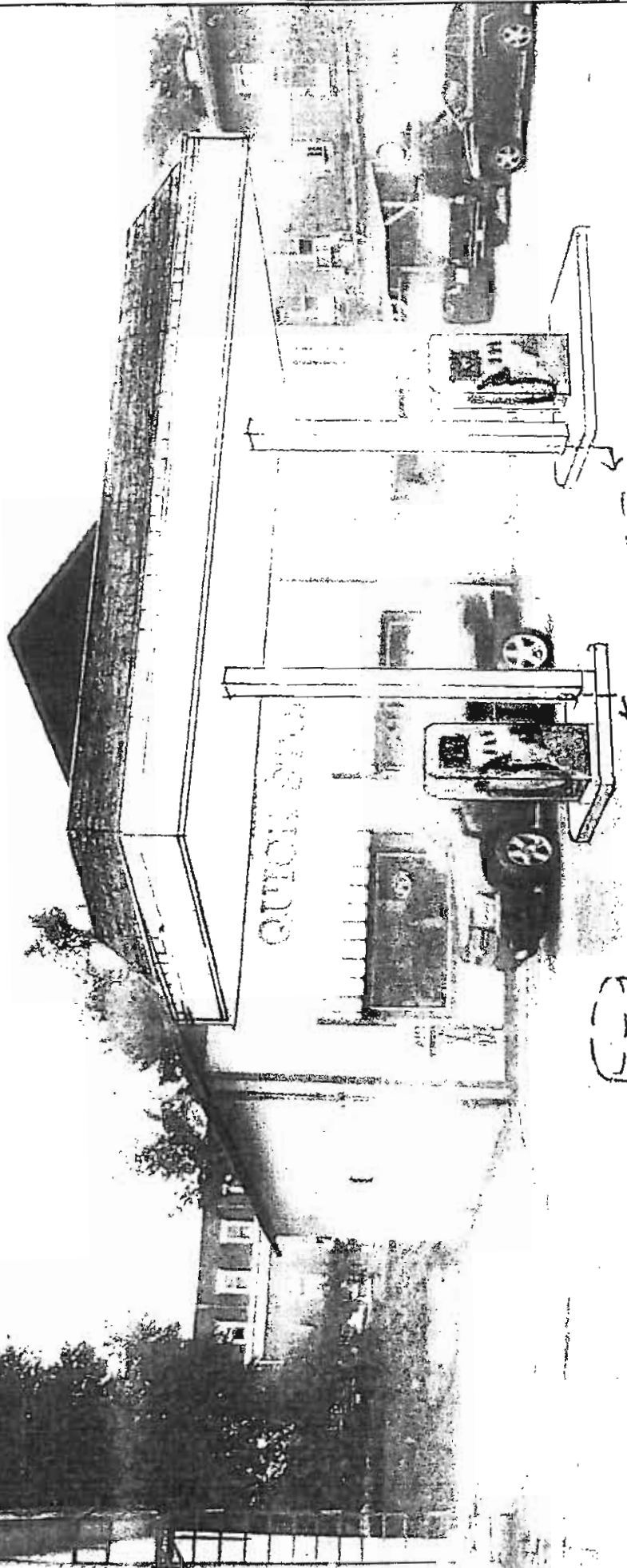


Curt M. Johnson, RA



DRA' 'AGE

Canopy Choice



NEW DRYWELL
FOR STORM DRAIN

APPROXIMATE SCALE
1" = 10' (Vertical Scale)
1" = 20' (Horizontal Scale)

DATE: 11/12/12

RENNIA ENGINEERING DESIGN, PLLC

CIVIL & ENVIRONMENTAL ENGINEERING

6 Dover Village Plaza, Suite 5, P.O. Box 400, Dover Plains, NY 12522
Tel: (845) 877-0555 Fax: (845) 877-0556

October 16, 2009

Village of Pawling Planning Board
9 Memorial Ave
Pawling NY 12564

Attn: Mr. Mike Grogan, Chair

**Re: 29 Memorial Ave.
Change of Use Site Plan**

Dear Mr. Grogan,

Attached for your review and approval please find seven (7) copies of the proposed Site Plan, sheets 1&2, last revised 10/15/09, for the above referenced project. The following revisions have been made to the Site Plan in accordance with the discussions at the 9/9/09 planning board meeting:

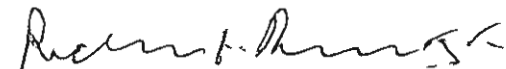
1. The existing bathrooms in the 1st and 2nd floor apartments have been enlarged to provide more space between the tub and the sinks.
2. The originally proposed 6 ft. wide opening between the dining room and living room areas in the 1st floor apartment has been increased in size to 8 ft.
3. Dimensions have been added to the rooms.
4. The parking spaces along Memorial Avenue have been revised to show 2 parallel spaces.
5. The exterior condenser unit has been relocated to the opposite side of the building in order to keep the access way clear along the North Side of the Building.
6. The existing stairs in the rear storage room will be removed and a wall partition added to prevent passage.
7. The wall behind the furnace has been extended.

Please accept this submission as our formal application and request for approval of both Sketch Plan and Final Site Plan for this project.

It is requested that this project be placed on your next available meeting agenda in order to discuss the next steps with the board.

Please contact me with any questions at (845) 877-0555.

Sincerely,



Richard Rennia, Jr., P.E.
Principal

CC: Evelyn Galindo, w/ encl.
Robert Marvin, Esq., w/ encl.

Memo

To: Members of the Planning Board

From: Building Department

Date: October 28, 2009

Re: Parking/Traffic Survey

At the last Planning Board Meeting, the members asked for a parking/traffic survey of Memorial Avenue.

A previous attempt to conduct a traffic survey yielded it to costly – about \$5000.00.

Mark DeBald at Dutchess County Planning suggested we conduct the survey since it was so small. For the 17 day survey, the average for parked cars, observed at various hours was 5.2 cars parked. It was, also, observed that all cars, except 1 car, were parked between 9 Memorial Avenue and Smith St. This average also includes patrol cars. The cars from Main Street and 9 Memorial were not part of this survey.

Karl and Earl marked off 19' parking spaces. The result of their findings is shown on the attached page.

The traffic observed on Memorial Avenue has always been light.

- 15 DIAGONAL PARKING SPACES
- 41 PARALLEL PARKING SPACES AT 19 FT LONG
- 2 PRIVATE PARKING SPACES AT 19 FT LONG

