

**THE VILLAGE OF PAWLING PLANNING BOARD MINUTES**

<b>Date:</b>	December 9, 2009
<b>Present:</b>	Michael Grogan, Chairman Stan Mersand, Member Dr. George Coulter, Member Michael Cerny, Member Taren Tanner, Member
<b>Also Present:</b>	Michael Hayes, Attorney for the Village Karl Pfister, Building Inspector Robert Marvin, Attorney for Galindo Richard Rennia, Engineer for Galindo Susan Macura, Reporter for Pawling Press Evelyn & Jorge Galindo, Owner Mr. Jimenez, Owner

**APPROVED BY**  
**VILLAGE OF PAWLING**  
**PLANNING BOARD**  
12/16/09

On Wednesday, December 9, 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:****Jimenez Change of Use Site Plan**

Mr. Grogan asked the Members if they had any comments on the revised plans. Mr. Cerny asked Mr. Rennia to explain how he arrived at the measurements for the deli and restaurant. Mr. Rennia said, to obtain gross square footage, he measured to the outside of the building.

There was a discussion concerning the amount of spaces waived. In the end, the Board suggested he measure to the inside wall thereby not counting the foundation wall. Mr. Hayes said he was comfortable with 9 spaces waived and the applicant paying for 7 spaces. Mr. Mersand asked about the transition from the street to the building. Mr. Rennia said there would be a gradual slope up that will be accessible to the disabled. Mr. Rennia said there would be a 2% grade so there will be no steps or a ramp.

Addressing the rain water runoff, Mr. Rennia explained the rain water will drain to the north where the storm drain is located. The discussion continued regarding the curb cut. Mr. Rennia, using the drawings, showed how the front of the building would look. Mr.

Tanner asked about the use of grass in the front. Would it look like a mud pit if the people walked on the grass?

Mr. Tanner, then, asked about the lighting. He would like to see some sort of small post light.

Mr. Cerny would like to see the satellite dishes removed from the front of the building.

The Board, at this point, took a walk down to the building.

Upon returning, Mr. Hayes said he would go through the conditions and project changes that he would put into the resolution and what would be shown on the plan and map notes.

Mr. Mersand asked Mr. Hayes about the occupancy code for the two apartments. There was some discussion about this. Mr. Hayes said he would review the Code and let the Board and applicants know.

Mr. Marvin listed the changes he observed:

1. Residential post light on northwest corner
2. Shurbs on the grassy area to prevent people walking on the grass
3. No back lit signs
4. Satellite dishes removed from the front of the building. The board thought they could be put on the roof.
5. Railings
6. Maintain 6 inch sidewalk height curb
7. Nine waived spaces, paying for seven spaces

Mr. Hayes listed about the changes for the inside of the building:

1. Ceiling fire resistance will be code standard for one hour
2. Door to the furnace room must be one hour fire resistant
3. Bathrooms on the first and second floors increased by one foot in width
4. Wall between living and dining rooms on first floor will have an 8 foot cut and the two doors removed
5. Foundation stairs will be sealed off and removed
6. Furnace room will be its own sealed room
7. Deck and stairs will be rebuilt and brought up to code
8. Condenser will be moved from the north side to the south side of the building
9. Propane tanks and dumpster moved to the rear of the building
10. Space on the back of the property will not be a parking space
11. Six foot high fence will remain

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Mr. Hayes said there will be unannounced inspections added to the Site Plan. He, then, reviewed the list. There will be a special Meeting on 12/16/09 to complete the project.

**OTHER BUSINESS:**

Minutes from the 11/11/09 Meeting of the Planning Board.

Mr. Tanner made a Motion to accept the 11/11/09 Minutes. Dr. Coulter seconded the Motion and all Members were in favor.

Family Quick Stop

Mr. Mersand asked about the sidewalk in front of the Quick Stop. He asked who gave the owner the right to pave the sidewalk. Dr. Coulter said the Mayor asked the owner to repave the sidewalk and he has the right to do that. Mr. Hayes said the owner did not need to come before the Planning Board to pave the sidewalk. Mr. Tanner said he would have wished the Mayor let the Board know the sidewalk was being repaved and that it will be a foot less in width. This way, he would be able to hear the Board's concerns. Mr. Tanner said the smaller width makes it difficult to walk and it looks like vehicular traffic take precedent over pedestrian traffic.

Mr. Pfister showed the Board pictures of the original side walk which was all broken up and crumbling. Mr. Pfister said the owner asked the Mayor, that since he had the cement trucks and the workers available, did the Mayor want him to repave the sidewalk and the Mayor said to make it a foot less in width.

Mr. Hayes said, that although the sidewalk is not within the Board's jurisdiction, the Board could ask the Mayor to let the Planning Board know of such changes and entertain comments from the Board. There is no formal role here for the Planning Board.

At this point, Mr. Renna reentered the Meeting and asked the Board if, in the resolution, there could be a timeframe for doing and completing the outside work. It is difficult to work with cement during the winter. Could the timeframe be in April or May? Mr. Cerny said something would need to be put in front of the building to prevent any parking there until the sidewalk is installed. The internal improvements can be done now with a C/O granted conditioned on completion of the exterior improvements by April 15<sup>th</sup>.

Returning to the Quick Stop sidewalk, there was a discussion as to who owns the sidewalk. Mr. Hayes said they are considered a Right-of-Way for the Village. It depends on the type of street.

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**ADJOURNMENT:**

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

Submitted by  
Mary Heubel  
Planning Board Secretary