

DATE OF MEETING: October 21, 2019  
PLACE OF MEETING: Village Hall, Pawling, New York  
MEMBERS PRESENT: Mayor Robert Liffland  
Trustee Dan Peters  
Trustee Earl Slocum  
Trustee Lauri Taylor

The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

**MOTION** by Trustee Peters to close the regular session and go into the Public Hearing on a proposed Zoning Map correction for Tax Lot 7056-05-226800 at 7:00 P.M. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

Trustee Peters said he was in favor of correcting the error. Trustee Slocum said it was an error that needed to be corrected. Trustee Taylor said she felt the same. Mayor Liffland agreed.

Mr. Michael Keupp, a resident of West Street and Chairman of the ZBA, said it was a strange thing – the line went along and all of a sudden had a jog in it. He said he did not know how that could happen by error. He asked if anybody knew what the thought process was to veer the line off – was there something going on the Board did not realize. Trustees Slocum and Taylor said it was just an error in the mapping. Mr. Curt Johnson said there were several instances on the map where properties were bisected and it seemed they were just connecting points. He said it makes more sense to keep it within the property limits.

**MOTION** by Trustee Peters to close the Public Hearing and return to regular session at 7:02 P.M. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to adopt the following Resolution. **SECONDED** by Trustee Taylor.

WHEREAS, the Village of Pawling Village Board (hereinafter referred to as “Board”) has identified an error on the Village of Pawling Zoning Map specifically Tax Lot 7056-05-226800 consisting of 1.15 acres has been incorrectly drafted is being partially within the B2 Zoning District and partially within the R2 zoning district; and

WHEREAS, the Board has the jurisdiction of over corrections to the official zoning map; and

WHEREAS, the Board has reviewed and acknowledged the mapping error;

WHEREAS, the current Dutchess County parcel access information maintained by Dutchess County as well as the Deed description and Land Survey for this parcel illustrate the parcel lines configured in a similar fashion as the illustrated on the Village of Pawling Zoning map; and

WHEREAS, the parcel lot lines and deed description have remained unchanged has remained in its current configuration for decades; and

WHEREAS, the property owner has continuously paid commercial taxes on the subject property; and

WHEREAS, the parcel was the subject of a prior review by the Village of Pawling Planning Board and upon the extensive review, by Resolution, the Village Planning Board adopted a SEQRA Negative Declaration, Site Plan Decision and Special Permit Decision utilizing the basis of this parcel being wholly within the B2 Zoning District; and

WHEREAS, the 1994 Updated Comprehensive Plan shows the parcel as being intended to be commercial zoned (B2) and not single family residential and on page 87 the document states "Johnson Route 22 frontage is planned for commercial use (...) to boost the economic, employment and tax base of the Village"; and

WHEREAS, there is no evidence indicating when the error was made or how it was made; and

That way, we are not correcting a mistake made by local law.

WHEREAS, the incorrect designation of this parcel in the R2 Zoning District would conflict with the intended commercial use as stated in the Comprehensive Plan; and

WHEREAS, the Village code specifically references in section 98-9-C - "Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines."

NOW, THEREFORE BE IT RESOLVED that the Planning Board of the Village of Pawling determines that this action is a Type II action under SEQRA; and

BE IT FURTHER RESOLVED that the Village Board orders the official zoning be corrected to indicate that the subject parcel is wholly within the B2 Zoning District and instructs the Secretary to the Board to file this decision with all applicable agencies.

All were in favor and the Resolution was adopted.

There was discussion on 140/146 East Main Street rezoning/creation of a gateway overlay. Trustee Taylor said anybody she spoke with, and from what she knew, that would be spot zoning and the village should not go down that path. She said she wondered if the Board should be looking at a larger area for rezoning and not just 2 parcels. Mr. Johnson said the thought process was that those lots were in the future land use as commercial property and should be in the commercial zone. He said the Comprehensive Plan spoke about a gateway overlay and it was conceptually something to do. He said the building could create one of the monuments architecturally coming into the village and that the one lot was commercial since it was built in 1935. Trustee Taylor said it made her nervous because it opened the door to other things. She said if this project did not go through as proposed what else could go in there. Mr. Johnson said there were protections in creating the gateway overlay as to what the property could be and if it's a special use permit it is under

the purview of the Planning Board giving them a second look at it whereby they can put restrictions on it as necessary. There was discussion on the project.

Mayor Liffland said there were some concerns regarding safety issues during the tree lighting. He said a solution would be to have the band play in the bandstand and have spectators line up on the sidewalk rather than gather in the road. There was discussion on the Tree Lighting and the village putting up wreaths and lights on East Main Street.

**MOTION** by Trustee Peters to approve The Chazen Companies for Engineering Consulting Services. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve The Chazen Companies proposal for environmental services to support the Village of Pawling Lakeside Drive Water Supply project. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve the Retainer renewal with The Network Support Company. **SECONDED** by Mayor Liffland. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve the 2020 renewal of the Dutchess County DMV lease with the village. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Taylor to approve payment of the October bills in the amount of \$50,958.75. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Taylor to adjourn the meeting at 7:54 P.M. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

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Village Clerk