

Village of Pawling Planning Board Minutes

Date: March 8, 2022

Present: Robert Pfister Jr., Chairman
Mike Mersand, Member
Lou Musella, Member
Peter Pennelle, Member

Absent: Adam Muroski, Member

Also Present: Caren LoBrutto, Village Planner
Jonathan Bardavid, Attorney for Village of Pawling
Sean Hilderbrand (5 Oak Street Renovations)
Diana Tomassetti (Main Corner Properties)
Ben Gailey, Jacobowitz and Gubits, LLC
Lauri Taylor, Village of Pawling Mayor

APPROVED BY
VILLAGE OF PAWLING
PLANNING BOARD

On, *Tuesday, March 08th, 2022 at 7:00 PM*, the Planning Board met at the Village Hall. The Meeting was called to order by Robert Pfister, Chairman and began with roll call as indicated above and The Pledge of Allegiance.

Approval of Minutes

Member Peter Pennelle made a Motion to approve minutes of the February 8th, 2022 Planning Board meeting. The Motion was seconded by Member Lou Musella. All were in favor.

Applicant: Sean Hilderbrand
6957-20-986028
5 Oak Street Renovation
Site Plan Application

Mr. Hilderbrand presented the Board with an updated survey and explained that it will be submitted to the Planning Board once his designer plots the new building on to it.

Chairman Pfister urged Mr. Hilderbrand to get that in as soon as possible stating that the Board and the Planner need time to review it in order to make accurate assessments.

Mr. Hilderbrand said he will email the survey to the Secretary as soon as he has it then described the project stating that the building is going to push forward to the property line on Oak Street, extended out towards the existing parking lot. He explained that the parking lot is oversized (sized for a tandem, two cars front to back) so it's going to extend out to allow room for one car, not a double and shift towards Oak Street right to the property line and shift towards Arch Street as well.

Chairman Pfister referred to Village Planner, Caren LoBrutto for review of her report.

Ms. LoBrutto asserted since the project is located within 500 feet of a County Road, Site Plan and Special Permit approval is required, the project is classified as an Unlisted Action and the Planning Board will need to declare

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intent to be Lead Agency for SEQR. She further stated that once the updated application is received, a public hearing will be scheduled.

Other Permits/Approval requirements noted in Ms. LoBrutto's report include:

- Pawling Joint Sewer District Connection
- Pawling Water Connection
- Zoning Board of Appeals Required Parking Waiver.

For more detailed information of the Village Planner's report, see attached LaBella Memorandum.

Chairman Pfister informed Mr. Hilderbrand that the Village Engineer will be sending a list of information that was not clear in the application that the he will need to address in order for the Engineer to provide an accurate reporting. The Chair also stated that Page 13 of the Full Environmental Assessment Form was not signed by the owner.

Mr. Hilderbrand conceded and asked if there will be any other reason besides what has already been noted that he would need to appear before of the ZBA for this project.

Chairman Pfister replied that the project applies to the Urban Regulations and will need to appear before the ZBA for that. There was some discussion regarding the process/timing of appearing before the ZBA.

Applicant: Main Corner Properties (Diana Tomassetti)
146 East Main Street Appeal
7056-05-040992

Ms. Tomassetti informed the Board that the Supervisor on the job, Mike Barnett, is no longer on the project then referred to changes that had been previously submitted to the Planning Board.

Chairman Pfister asked Ms. Tomassetti if she using an architect to make the changes.

Ms. Tomassetti replied, "No."

Chairman Pfister explained that from the renderings the Applicant provided to the Board, it is difficult to tell what the building is going to look like when it's completed and urged Ms. Tomassetti to work with a professional architect in order to provide the Board with professional detailed renderings of what the finished building will look like.

Village Attorney, Jonathan Bardavid asked Ms. Tomassetti if she is seeking approval for all the modifications as a whole or consider each changes separately.

Ms. Tomassetti said she is hear requesting "a la carte." She then stated that she is willing to make just about any of the other changes that the Board would like except the roof at this point. "I mean, we're talking about hundreds of thousands of dollars to remove it and replace it. The only potential option would be to paint it which would void a portion of the warranty which is a 50 year warranty."

Mr. Bardavid suggested discussing the changes methodically tabling discussion of the roof at a later time.

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Ms. Tomassetti brought up the addition on the side where the air conditioning units are in the parking lot. She explained that this is not on the drawing at all and it's something that they're looking for approval on because they cantilevered the side just to keep the air conditioner compressor off the floor because there is quite a few of compressors and there wasn't enough room for them on the roof.

Chairman Pfister urged, again, to have an architect/designer look at the project to help come up with better solutions to the changes the Board is requiring to bring the look of the building back in keeping with the character of the community.

Ms. Tomassetti agreed and asked the Board if it would be possible to continue work on the interior.

Mr. Bardavid said the Planning Board does not have the authority to make that decision.

The Board and Ms. Tomassetti discussed the issues that the Board would like addressed and detailed in a professional architectural rendering that will bring this building in line with the character of the community. The issues discussed are as follows:

East Main Street – West Facade

- 2nd story knee wall skirt board
- Gable/break in the trim
- Trim Board vs non provided
- Travertine tile ¾ inch/cultured stone return vs. Hardie Board/Brick
- Shutters vs non provided
- Open walls at patio vs. solid brick wall provided
- Single Columns vs double columns and triple columns in the corner shown in the renderings

Route 22 – East Facade Main Entrance

- Rendering shows 4 columns vs. none provided
- Renderings shows white trim entryway vs. brick
- White corners vs. not provided
- Railings vs. no railing
- White trim around windows vs. brick provided

Chimney – South Facade

- White corners vs. not provided

North Facade

- On the wall used to obscure mechanicals, put siding to reduce the massing of the brick
- Siding instead of brick under porch.

After discussion on the above items, Member Lou Musella commented that the original rendering is what sold him on the project in the beginning stating “that we have a completely different building in front of us right now and this is very, very difficult to digest. It's all piece mail all of this discussion right now. It's very, very hard to sit here and to approve a building or to digest approving a building that was presented to me as the gateway to the entrance to the Village of Pawling. Curt Johnson did a hell of job when he made his presentation.” Referring to the original rendering, Mr. Musella said, “This is what I approved. This is what I am happy with. I am not happy with any of this, personally. Let's get 99.9% close to this and I'll be happy.”

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Chairman Pfister referred to Section 98-65 G #12 “to require that the building design is compatible with the existing characteristics of the neighborhood.” He stated, “In all of the changes here, can you cite an example where these characteristics are compatible with the rest of the architecture in the neighborhood?”

Ms. Tomassetti said, “I don’t know how to respond to that.”

Mr. Gailey said, “We can talk to the architect.”

Chairman Pfister quoted from the Comprehensive Plan stating, “Our Principal strategy is to make Pawling more like itself that it extends the Village in such a way that the new is seamless with the old. We can almost dare you to say can you tell where the new begins and the old ends. The idea is to understand the fabric of the Village as it exists.” Further commenting that it’s difficult to see how this building is woven into the fabric of the existing architecture of the Village.

Mr. Bardavid confirmed with the Applicant and Mr. Bailey that they are asking for more time to have an architect address the items listed above.

Mr. Gailey confirmed, “Yes.”

Ms. LoBrutto suggested the applicant provide a narrative demonstrating consistency with the character of the Village.

Ms. Tomassetti asked when the deadline for submission is for the April 12th Planning Board meeting.

The secretary said March 29th.

Mr. Bardavid suggested that the Applicant include landscaping in the architectural rendering that might provide solutions as well.

Member Musella stated as far as the roof goes, if you can’t paint it because it will void the warranty, it’s going to have to come off.

Mr. Bardavid said discussion on the roof should occur at the next meeting.

Adjournment

Member Musella made a Motion to adjourn until the next Planning Board Meeting scheduled for Tuesday, April 12th, 2022. Member Pennelle seconded the Motion. All were in favor.

Submitted by:



Vivian Nikolatos
Planning Board Secretary

MEMORANDUM

To: Village of Pawling Planning Board
From: LaBella Associates, Caren LoBrutto
Date: March 3, 2022
Re: 5 Oak Street
Project #: 82045.02, Task 01

SUMMARY

Owner: Five Oak Realty LLC, Peter Calabrese

Applicant: Five Oak Realty LLC, Sean Hilderbrand, Agent

Tax Lot(s)/Location:

- 6957-20-986028

Total Acreage: 4,750 Square feet (SF) (pending survey)

Current Zoning District: B-1 Zoning District

Current Use: Office use

Proposed Project: The Applicant/Owner proposes to expand the approximately 1,440 SF existing building to include a second floor, five apartments (3,612 SF), and commercial office/retail space (1,110 SF) for a total of approximately 5,690 SF (including the basement). The first floor will be comprised of commercial space and a single apartment (950 SF), and the second floor will include the four remaining apartments. Five parking spaces are provided, where eight are required. Access is provided by Arch Street. The building is currently occupied by a commercial office use, with a gravel parking area accessible from Arch Street.

Permits and Approvals:

- Pawling Joint Sewer District Connection
- Pawling Water Connection
- Planning Board Site Plan Approval
- Planning Board Special Permit Approval
- Zoning Board of Appeals – required parking

SEQR: The project is classified as an Unlisted Action.

GML 239 Referral: Yes, project is located within 500 feet of a County Road and requires site plan and special permit approval.

NEXT STEPS

The application is not yet complete. The Planning Board should consider declaring intent to be Lead Agency for SEQR and scheduling a public hearing upon receipt of the updated application.

ZONING ANALYSIS

1. Per Zoning Section 98-13B, the Urban Regulations apply to alteration, rebuilding, or enlargement if the enlargement, extension or reconstruction of a building or structure will increase the assessed value of the property by more than 20%. According to the Dutchess County Parcel Access, the property was recently assessed at \$104,000. The Board should determine if a 20% increase is likely to occur.
2. If the Urban Regulations apply, then state on Sheet SK.1 bulk table that the Urban Regulations apply and update the bulk table with the relevant information.
3. Identify setbacks on the site plan, with dimensions to the proposed development.
4. Note that Local Law 1 of 2018 applies and that a special permit must be obtained to allow the residential apartment on the ground floor.
5. Add "does not apply" to asterisk note on bulk table. The site does not abut an adjacent residential zone.
6. Identify pre-existing, non-conformances.
7. Parking spaces should be dimensioned.
8. Eight parking spaces are required, but only 5 spaces are provided. The Planning Board has the ability to waive up to 15% but this reduces the requirement by one only. Therefore, the Applicant requires a variance. The applicant's argument for shared parking and accessible merchant parking may be useful in the variance application.
9. What is the total gross square feet?
10. The floor area ratio should be calculated per the zoning definition, total gross floor area /lot area.
11. Confirm calculations for maximum building and lot coverage, provide calculations. These seem low. Reference these defined terms in the Zoning Code.

ENVIRONMENTAL REVIEW

12. Question D.1.e. What is the anticipated period of construction?

13. Question D.1.f. should indicate the apartments as multiple family, state "5 apts."
14. Question D.1.g. confirm height, bulk table states 32.5; confirm width/length, appears to be 48 FT width and 62 FT length.
15. Confirm total net square feet of building and any related changes to total building space to be heated/cooled, as needed.
16. Question D.2.a Provide an answer to this question.
17. Question D.2.c. and d. Provide methodology for calculation. What is the site's current use/generation of water/wastewater?
18. Question D.2.i. Provide an answer to this question.
19. Question D.2.l. Indicate 24 hours for residential operations.
20. Question D.2.r. Indicate solid waste total/disposal for operation of commercial use and overall construction. Provide methodology for calculation.
21. Question E.1.b. Some portion of the site is currently grass. Please specify. Acreage after project completion is greater than lot size, please confirm.
22. Question E.1.d. Confirm whether the Pawling school is located within 1,500 FT.
23. Question E.1.h.iv. and v. Complete for C316116 and V00218.
24. Question E.2. Complete section. [Web Soil Survey \(usda.gov\)](https://www.usda.gov/websoilsurvey/)
25. Question E.2.h. Indicate distance from the closest wetland.
26. Question E.2.m. Complete. Recommend stating "Dutchess County common species."
27. Identify federally regulated species. [IPaC: Getting Started - Draw on Map \(fws.gov\)](https://www.fws.gov/ipac/getting-started-draw-on-map). Describe whether there is habitat for regulated species onsite.
28. Question E.3.d. Describe the distance to Great Swamp from the project site.

SITE PLAN REVIEW

29. Provide additional detail on exterior lighting, including a lighting detail, photometric plan, and a lighting manufacturer's spec sheet.
30. Provide information on architectural materials.
31. Will the commercial space have a bathroom?

32. Please provide additional detail on landscaping (e.g., plant type, installation size, etc.).
33. A limits of ground disturbance should be shown.
34. The site is located outside of the NYC Department of Environmental Protection (NYCDEP) watershed and requires less than one acre of disturbance; therefore, no stormwater pollution prevention plan (SWPPP) is required.
35. A deed should be provided.
36. The renderings should clarify that 7 Oak Street is not part of the application.
37. Confirm that the tree at the southwest corner will remain.
38. Will the existing building be demolished? If not, will its foundation remain?
39. Will a sign be proposed?
40. The Board should consider what the Village's goals for sidewalks are in this area and how that relates to the site. There is a sidewalk on the Oak Street that extends partially in front of the building.
41. Indicate where refuse will be located.

DOCUMENTS REVIEWED

- Site Plan Application
- Full Environmental Assessment Form (FEAF), dated 2/18/2022
- Survey waiver and parking letter
- Site Plan Drawings, SK.1, SK.2, dated 2/21/2022
- Renderings, SK.3, dated 2/21/2022