

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	February 26, 2019
Present:	Michael Cerny, Acting Chairman Lou Musella, Member Gerald Locascio, Member Rob Pfister, Member (Recused)
Also Present:	Earl Slocum, Trustee Lauri Taylor, Trustee Michael Liguori, Hogan & Rossi, Esqs. Jeremy Wolf, Sankalpa Ventures, LLC Pawling Bread Co.

On Tuesday, *February 26, 2019* at 7:00 PM, the Planning Board met in the first floor meeting room in the Village Hall at 9 Memorial Avenue. The Meeting was called to order by Jennifer Strehle, Secretary, and began with the Pledge of Allegiance and the roll call as above indicated.

Minutes from 11/27/18, 12/11/18, 1/22/19

Mr. Locascio made a Motion to accept the Minutes from the 11/27/18, 12/11/18, 1/22/19 Meetings for the Planning Board. Mr. Musella seconded the Motion and all present Members were in favor.

Mr. Cerny asked if any members of the Planning Board had any conflicts that they would like to disclose. Rob Pfister said that he wanted the public to know that he worked on the property at 10 East Main Street. For the communities trust felt that he should recuse himself. Mr. Cerny said that Mr. Pfister would not be involved with the discussion of Sankalpa Ventures, LLC.

Sankalpa Ventures, LLC

Mr. Cerny said that we are here for Sankalpa for a modification of existing site plan. Questions were raised about the approval of the site plan. Mr. Cerny asked who was there representing Sankalpa? Jeremy Wolf, applicant and Michael Liguori of Hogan & Rossi introduced themselves.

Mr. Cerny said that in order to move forward he has discussed the matter with Mr. Liguori and the attorney for the Village Board Mr. Cappillino. The agreement with the applicant will be the following:

Minutes from 2/26/19 Planning Board

- (i) the **VILLAGE** issues a Temp CO that would automatically terminate if Sankulpa did not relinquish and reapply within 30 days;
- (ii) Sankulpa has paid its \$3,000 site plan application fee and no further fee is due;
- (iii) **We are not aware of any zoning code or planning process changes since the original date of approval, but in the even there are, Sankulpa will be grandfathered under only those provisions in effect at the time of the original approval will be applied;** and
- (iv) Sankulpa **does not** admit any wrong doing or liability but all parties would be advised that this particular concern was brought to Sankulpa's attention and it agreed with the Village that the best solution to avoid any appearance of impropriety was to relinquish and reapply.

Based upon this, we would ask the Building Inspector to issue the Temporary CO and the sign permit. We will set this matter on for 3/26 to review the full application.

Mr. Cerny asked if this is agreeable with the applicant. Mr. Liguori said that in his conversations with Mr. Cappillino it was suggested that the 30 days termination be extended to 90 days. All board members agreed with the extension to 90 days.

Mr. Musella had several questions regarding parking being waived for the applicant; the relationship between Mr. Foscatto and Sankulpa; the motions that were made by Mr. Foscatto and if that was a conflict of interest and the motion made of negative declaration. Mr. Cerny said that this would be a clean slate with a new review addressing all those questions.

Mr. Musella asked what would be approved this evening, what will they be doing and how many occupants. Mr. Cerny said that was a Building Code issue. Jennifer Strehle said that the occupancy for the building was 15 people including employees. Mr. Musella asked what was going to be on the second floor. Mr. Cerny said we will hear what they propose for that as part of the full application.

Mr. Locascio made a comment that he didn't believe that there was any conflict of interest here and didn't have a problem readdressing the project. He thanked the former board members who volunteered their time and welcomed the new members. Mr. Cerny said that it's a small town and we try to do the best that we can. He feels that everyone in this situation did what they thought was right but if there are issues, then let's correct them. That's what this agreement gets us to do, make the corrections and move forward.

Mr. Locascio made a Motion to approve the resubmission of the site plan for Sankulpa Ventures, LLC of 10 East Main Street and ask the Building Inspector to issue a Temporary Certificate of Occupancy which will terminate if Sankulpa Ventures, LLC does not reapply within 90 days. Mr. Musella seconded and all present Members were in favor.

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Mr. Cerny stated that the next Planning Board meeting would be on March 26, 2019 and the Submittal Deadline is March 12, 2019. Mrs. Strehle confirmed with Mr. Cerny that Pawling Bread Co. could order the sign and Mr. Cerny replied yes to let them know and to issue the sign permit.

Adjournment:

Mr. Locascio made a Motion to adjourn the meeting. Mr. Musella seconded and all present Members were in favor.

Submitted by:

Jennifer Strehle, Secretary