

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	March 9, 2021
Present:	Steve Goldberg, Chairman Lou Musella, Member Rob Pfister, Member Adam Muroski, Member
Also Present:	Lauri Taylor, Mayor Johnathan Bardavid, Attorney for Planning Board Caren LoBrutto, Village Planner Alicia Conti, Architect for Applicant Curt Johnson, Architect for Applicant
Absent:	Peter Pennelle – Member

APPROVED BY
VILLAGE OF PAWLING
PLANNING BOARD

On, *Tuesday March 9, 2021* at 7:00 PM, the Planning Board met via Zoom Conference. The Meeting was called to order by Jennifer Strehle, Secretary, and began with role call as indicated above and The Pledge of Allegiance.

The Secretary read the following:

Due to public health and safety concerns related to COVID-19, the Village of Pawling Planning Board will not be meeting in-person. In accordance with the Governor's Executive Order 202.1, the March 9, 2021 board meeting will be held via Zoom Conference, and a transcript will be provided at a later date.

Minutes

Mr. Pfister made a Motion to accept the Minutes from the February 9, 2021 Meeting for the Planning Board with amendments noted by Chairman Goldberg. Mr. Musella seconded the Motion and all present Members were in favor.

Water/Well Presentation – Dan Stone of Chazen Engineering

Chairman Goldberg asked Dan Stone to give an update on the water situation in the Village. Mr. Stone had given a presentation to the Planning Board last January. See attached presentation of January 14, 2020.

Chairman Goldberg began by reviewing the previous presentation's well yields and updated information as understood by the Planning Board members. Please see attached.

Mr. Stone asserted that the yield's chart was accurate and indicated that he and the Village were hard at work on improving the situations. Mayor Taylor thanked Mr. Stone for his efforts and Chairman Goldberg for setting up this review. She further .

Mr. Stone's presentation included:

1. The disparity between the Villages Average Daily Demand and Maximum Daily Demand and how those two are different
2. The reduced yields of the Villages current wells
3. The Status of the Umscheid Well
4. The current search for additional sources beyond Umscheid.

The Board then conducted a "questions and answers" segment discussing a variety of issues and seeking clarity on behalf of the community and developers. These issues included:

1. How current wells were source configured for maximum efficiency and yield
2. Quality of the Libby and Corbin wells.

Mr. Stone had to depart the meeting but, there was further discussion:

1. Chairman Goldberg discussed the urgency of finding other viable wells and need to keep the Planning and Zoning Boards involved.
2. Mayor Taylor agreed and noted that it was unfortunate negotiations with the DEC were taking as long as they were.
3. Mr Murowski noted that while he had been told the use of surface water from the Reservoir was not possible due to financial concerns, it would still be useful to understand the potential flows of that surface water and the advantages of using gravity to feed the total water system, in the event that wells did not provide a good permanent solution.
4. Mr. Musella asked about the differences between the Umschied wells and the current wells. Chairman Goldberg explained the relative quality and predictability of sand and gravel wells versus bedrock wells and added he would follow up with Mr. Stone for more information as needed.
5. Mr. Pfister commented on the proximity of existing and planned wells to the industrial parts of the Village. Mr. Goldberg said he would discuss with Mr. Stone and report back.
6. Mr. Musella asked about timing from finding and acceptable source of well water and a well going online. The Board discussed the complexity of digging wells in or near wetlands and how that can impact timelines and DEC activities.
7. Mr. Murowski asked about the location of new wells and their proximity to the existing Village infrastructure.

Chairman Goldberg indicated that he would discuss all the questions with Mr. Stone in writing and the produce a summary of findings from the Planning Board for the Village Board.

Pawling Commons – 63 East Main Street

Mr. Johnson was representing the applicant and said that there are no changes to the existing building. The vacant building will be a three story, building with thirty-three residential units.

The first floor is 8,000 sq. ft. of retail. There is a proposed 3rd building which will be residential with four stories and 20 units.

The Planning Board indicated that the original project had been approved in 2007 and included a third building but no changes to the former AG market Building. However, the variance for this third building had lapsed as had a Special Use permit allowing that third building to have residential units on the ground floor.

The Board further noted that when the Special Use Permit was issued in 2018 the Planning Board did not discuss the additional stories being added to the AG Market. So, while the Site Plan Approval remained in effect, the underlying variances needed the appropriate scrutiny in light of them having lapsed and any changes in circumstance since they had been approved.

Chairman Goldberg requested the applicant increase their escrow amount by \$1,500-

Mr. Murowski suggested that the Applicant reconsider the configuration of the proposed parking area in order to maintain efficient snow removal.

Mr. Musella asked about the allowable number of dwelling units on the lot and wondered about how a 4.8 Acre lot could sustain 53 dwelling units? Chairman Goldberg explained that Local Law #1 of 2018 (passed by the Board of Trustees) had eliminated acre-based restrictions on the number of dwelling units in the B1 district.

Recommendation for Resolution on Site Plan Application Expiration

Chairman Goldberg noted that in light of both the ever-changing water situation and the fact that Area Variances and Special Use Permits expire, it would be important for the Village Board to add Site Plan Expiration to the Village Zoning Code. He therefore proposed that the Planning Board make a recommendation to the Village Board of Trustees that there be an expiration date for site plan applications. He further indicated that the Resolution was not in any way binding to the Trustees who can choose to act or not at their discretion.

Mr. Goldberg made a Motion to recommend to the Village Board of Trustees to change the amending Zoning Code a termination date for Approved Site Plan. Mr. Muroski seconded the motion and after discussion, including the timing of such a change to the Zoning code, the Resolution passed 3-1 See attached resolution (Termination of Site Plan Approval)

Adjournment:

Mr. Goldberg made a Motion to adjourn the meeting. Mr. Muroski seconded the motion and all present Members were in favor.

Submitted by:
Jennifer Strehle, Secretary

Pawling Planning Board Meeting

Village of Pawling Water Supply

January 14, 2020

Well Yields

(*Max Day)

Sources	Approved gpm	2019 yield gpm	2020 Yield gpd	Cap. Loss gpm
Libby #1	40	33	40,000	
Libby #2	30	25	40,000	-12 to 16
Corbin	100	55	59,000	-45 to 59
Baxter #1	35	18	17,000	
Baxter #2	80	22	22,000	-140 to 148
Baxter #3	60	0		
Reservoir	20	18	14,400	-2 to 10
Total	365	171	192,000	-199 to 233
Village's Replacement wells			288,000	0 to 200+

Conclusion and Recommendation to Pawling Boards

**We Have a Water Supply Solution is in the
Works**

- ▶ **Applicants need to be appraised of the project time line and then:**
 - ▶ **Decide for themselves if they wish to continue planning and accept a conditional approval**
- ▶ **Village can (Counsel may recommend a formal agreement) continue with SEQR and other planning decisions but should not issue CO's until the new wells are on line**

Gallons per Minute

Well	Original Approved	2019 Yield	2020 Yield*	2019 Yield /Approved	Est. Yield /Approved
Libby 1	40	33	28	83%	69%
Libby 2	30	25	28	83%	93%
Corbin	100	55	41	55%	41%
Baxter 1	35	18	12	51%	34%
Baxter 2	80	22	15	28%	19%
Baxter 3	60	0	0	0%	0%
Reservoir	20	18	10	90%	50%
Total	365	171	134	47%	37%
New Wells**			100		
Adjusted Total			234		

**Estimated and adjusted for demand/source allocation. **Umscheid under Emergency Use*

At a Meeting of the Village of Pawling Planning Board held via Zoom, on the 9th day of March 2020, at 7:00 PM

RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF PAWLING

Identifier: Termination of Site Plan Approval

The meeting was called to order by Chairman Steve Goldberg and the following were:

P R E S E N T:

X Chairman, Steve Goldberg
X Lou Musella
X Robert Pfister
X Adam Muroski

The following Resolution was proposed by Steve Goldberg who moved its adoption, and seconded Rob Pfister.

WHEREAS, Chapter 98 of the Code of the Village of Pawling contains various regulation and guidelines and regulations regarding the land use and plot development of the Village of Pawling, and

WHEREAS, these regulations include guidance, mechanisms and implications regarding the termination of granted Area Variances and Special Use Permits, and

WHEREAS, these same regulations do not include guidance, mechanisms or implications for the termination of Site Plan Applications, and

WHEREAS, the Planning Board deems that such an omission can have negative consequences in the future, and

(CON'T)

WHEREAS, New York State Law §7-718, 14b assures that planning boards may and make recommendations to the Village Trustees and,

WHEREAS, the date of any anticipated adoption of a revised Comprehensive Plan and related amendments to Chapter 98 are unknown.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board makes a non-binding recommendation to the Board of Trustees of the Village of Pawling to add guidance, mechanisms and implications for the termination of Site Plan Applications to Chapter 98 of the Code of the Village of Pawling on an expedited basis.

The question of the foregoing Resolution was duly put to a vote, the Planning Board voting as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Chairman Steve Goldberg	X	—	—
Lou Musella	—	X	—
Robert Pfister	X	—	—
Adam Muroski	X	—	—
TOTAL	3	1	—

I hereby certify that the above is a true and correct copy of the Resolution passed by the Village of Pawling Planning Board at a meeting held on March 9, 2020.

Date: March 15, 2020



Jennifer Strehle, Secretary