

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	April 13, 2021
Present:	Steve Goldberg, Chairman Lou Musella, Member Rob Pfister, Member Adam Muroski, Member Peter Pennelle, Member
Also Present:	Lauri Taylor, Mayor Johnathan Bardavid, Attorney for Planning Board Caren LoBrutto, Village Planner Curt Johnson, Architect for Applicant Scott Olson, Applicant Aaron Brown, Applicant

On, *Tuesday April 13, 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 April 13, 2021 board meeting will be held via Zoom Conference, and a transcript will be provided at a later date.*

The Chairman recognized Mayor Taylor who gave a report on the current water main break.

Minutes

Mr. Musella made a Motion to accept the Minutes from the March 9, 2021 Meeting for the Planning Board. Mr. Pfister seconded the Motion and all present Members were in favor.

Verizon Wireless – 85 Charles Colman Blvd.

The applicant returned to the Planning Board to request a minor amendment to the previously approved Site Plan. The proposed amendment would add a single chain “rope” with posts around the rooftop antenna and a set of warning signs which are required by the FCC. The “rope” would be around the west, north and east sides of the leased 10’ x 10’ area.

Board members agreed that this amendment would be minimally (if at all) visible from the ground and would not change the Negative Declaration or Special Use Permit. Village Planner, LoBrutto confirmed that this change was consistent with the previous Negative Declaration with no new impacts, and that no additional permitting was necessary. (Attached reports from Tectonic and the planner LoBrutto.)

The members present unanimously approved the requested amendment.

Mr. Goldberg made a further Motion to increase the escrow amount to \$4,000. Mr. Penelle seconded and all present Members were in favor.

Kingdom Hall of Jehovah's Witness – 568 Route 22 – Sketch Conference

The Applicant requested a discussion (Sketch Plan Conference) regarding several possible changes to their location, including: Adding an exit along Gristmill Lane, Changing the current two-way entrance/exit on Route 22 to entrance only, Increasing parking from 59 to 76 spaces, adjusting sidewalk configuration. The plan also includes reconfiguration of parts of the lower level to residential units.

The Board, expressed serious concerns about the Entrance and Exit proposed for Gristmill Lane, which also has significant issues with sight lines and access to Route 22.

Board Member Lou Musella pointed out that current residents have problems turning on to Route 22 and that this change would introduce significantly more traffic on Gristmill Lane. Other Board Members shared this concern.

Board Member Rob Pfister questions about additional traffic and access to Route 22 from Gristmill Lane. He suggested that the existing two-way access directly on to Route 22 might still be the best approach.

Chairman Goldberg pointed out that the access today is on to a County road, with the proposed change, all that traffic would be redirected on to a Village road.

Planner LoBrutto added that the Planning Board would need to look at traffic and geography, and that the additional traffic would be a significant change for residents of Gristmill Lane.

Additionally, Board Member Peter Pennelle raised additional concerns about the residential units. The Applicant pointed out that the large space initially planned for these units was currently vacant, and that the Kingdom Hall would like to house two volunteers.

Chairman Goldberg concluded the Sketch Conference noting that the Planning Board's "profound concerns" indicated the Applicant should consider other alternatives.

Old Business – Sunset Avenue

The discussion was about the water drainage from Pawling Commons which has been "a serious issue for residents of Sunset Blvd (Please see the attached report from Berger Engineering.) Mr. Berger concluded "**Based on his inspection of the site: testing to determine capacity of the receiving storm sewer system should be done immediately and this additional improvement**

should be done prior to any site improvements or repairs in order to bring the parcel into compliance with the village's minimum standards of maintenance requirements."

Representing the Parcel Owner, Mr. Johnson indicated the owner of the property intended to start work on this as soon as the current development proposals are approved. Chairman Goldberg countered that the two issues were completely separate – one about development and the other about compliance with Village Code and should not wait for site approval or actual construction. He again pointed out that “this problem has existed for 17 years and it is time to address it.”

Pawling Commons – 63 East Main Street

Chairman Goldberg asked Mr. Johnson to review the project. All files are on record in the Planning Board Department.

Mr. Musella made a motion to open the Public Hearing. Mr. Muroski seconded the motion and all present Members were in favor.

Chairman Goldberg summarized the concerns of the letters received from the March 24th ZBA meeting: including building elevations; phases of construction; sidewalk access; intended type of housing; parking restrictions, customer/employee parking; hours of retail, ambient light and water usage. The following additional comments were made:

1. Jessica Kelly of 14 Sunset Avenue had concerns about the water issue, privacy, lack of plantings, the proposed 4 story building, traffic flow and lighting.
2. Kirk Ealeman seconded Jessica's concerns.
3. Giada Ridicchio asked to please help the people of Sunset Avenue ASAP.
4. Kim Revier of Cedar Valley was concerned about the amount of people coming in and out of 63 East Main Street.

Several letters of concern were received. Please see attached. Chairman Goldberg left the Public Hearing open until the next Planning Board meeting to allow for additional written input.

Mr. Muroski asked whether the buildings would be 3.5 or 4 stories. Mr. Johnson replied that they would be the full 4 stories per Local Law #1 from 2018. Mr. Pfister asked where the height of the buildings would be measured from, since the lot is elevated above East Main Street. Mr. Johnson responded that it is from the mean height of the adjacent pavement. Member Pfister pointed out that the Urban Regulations call for the elevations for Type 1 buildings to be measured from the fronting street elevation. Mr. Pennelle asked whether any of the residential units would be reserved for seniors. Mr. Johnson replied that they would all be “high-quality, market-rate” apartments, not low income or set aside for seniors.

Planner LoBrutto reported that the application was not yet complete and that she did not have any additional new comments.

Chairman Goldberg made a motion to declare intent that the Planning Board be Lead Agency for Pawling Commons. Mr. Musella seconded the motion and all present Members were in favor.

Planner LoBrutto said this intent should be circulated to the Zoning Board of Appeals, and the NYS Department of Environmental Conservation for storm water handling. She also reminded all that SEQR must be completed prior to the Applicant returning to the ZBA.

Chairman Goldberg asked Mr. Johnson if the next steps were clear and requested the Applicant provide the Planning Board with written responses to the Public comments

12 East Main Street – Brian McGrath

Mr. Bardavid of Daniels & Proco recused himself from the discussion.

Chairman Goldberg asked Mr. Johnson to present the project. McGrath Realty proposes to construct a two-story, 570 square foot addition to the south (or front) of the existing one-story commercial building for use as a conference room on the ground floor and office on the 2nd story. The applicant is co-owner of an adjacent parcel (3-5 Memorial Avenue (0.09ac.)). The proposed project will require 0.01 acres to be physically disturbed. Office is a permitted use in the B-1 Zoning District. All records are on file at the Planning Board Department.

Mr. Goldberg asked Ms. LoBrutto to discuss her report (attached.)

Member Pfister questioned the feasibility of building so close to the lot lines, especially when any repairs are required. Mr. Johnson said that their will be roughly 2.5' feet of clearance on the east side, 3' on the west. Lots in the B1 District have zero side lot setback requirements.

Planner LoBrutto reviewed her comment letter which addressed required variances; parking; site plan clarifications including internal building modifications, exterior lighting and signage; and water usage. She noted that the application was not yet complete. Next steps will include reviewing a completed application, declaring Lead Agency and scheduling a Public Hearing.

A discussion ensued about the use of Urban Regulations versus regular bulk and area regulations for this project. (If the extension increases the value of the property by more than 20%, the project will then fall under the Urban Regulations in the Village Code.)

Chairman Goldberg discussed how the 20% increase in value might be determined, for example, should it be done by using the additional number of offices or changes in square footage? He concluded that it seemed likely this extension would result in a 20% increase in value or more.

Member Pfister asked about side elevations and whether there would be windows on the side of the extension. Mr. Johnson replied that there would only be windows on the front. Chairman Goldberg questioned whether any of the windows on the neighboring 14 East Main Street would be blocked, and that the light available to those apartments needed to be considered.

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

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