

THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

Date:	December 8, 2020
Present:	Steve Goldberg, Chairman Lou Musella, Member Rob Pfister, Absent Adam Muroski, Member Scott Nickerson, Absent
Also Present:	Lauri Taylor, Trustee Earl Slocum, Trustee Johnathan Bardavid, Attorney for Pawling Village Caren LoBrutto, Planner Joe Berger, Engineer Scott Olson, Attorney for Applicant (VZW) Curt Johnson, Architect for Applicant Serafina Tomassetti, Applicant

APPROVED BY
VILLAGE OF PAWLING
PLANNING BOARD

On, *Tuesday December 8, 2020* 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 December 8, 2020 board meeting will be held via Zoom Conference, and a transcript will be provided at a later date.*

Minutes and other Business

Mr. Goldberg made a Motion to accept the Minutes from the November 9, 2020 Meeting of the Planning Board. Mr. Musella seconded the Motion and all present Members were in favor.

Mr. Goldberg made a Motion to accept the 2021 meeting schedule with meetings continuing to be held on the second Tuesday of each month. Mr. Musella seconded the Motion. All present Members were in favor.

Main Corner Properties LLC – 146 East Main Street

Mr. Johnson discussed parking changes that had been made to the Site Plan including offsite employee and overflow parking at Hudson Valley Plastics . Further discussion included confirmation that the new sidewalk to be installed on East Main would eliminate parking on the road shoulder as was done at the previous establishment.

Chairman Goldberg requested that, in addition to the other parking accommodations previously discussed, the applicant place a sign on or near the back door and on two parking lot light poles reading “No Parking on East Main Street.” The Applicant agreed.

There was discussion about a sidewalk that Dutchess County Planning had suggested which would run between East Main Street and Route 22. At this time the applicant did not include this sidewalk but will consider that type of right of way, should the County's overall pedestrian plan be more finalized. There were no objections.

Mr. Goldberg asked the Planner, Caren LoBrutto to discuss her report. Ms. LoBrutto reviewed her comments, including changes to reduce off-site light levels. She also suggested aligning one of the light poles in the parking lot with the marked parking spots to reduce chances of collision, along with other minor changes on lighting and landscaping. Mr. Johnson agreed to these suggestions. Ms LoBrutto's report is attached.

Mr. Goldberg asked the Engineer, Joe Berger to discuss his report which included notes on the Storm Water Plan and Water usage. Mr. Johnson agreed with these comments. Mr. Berger's report is attached.

Mr. Goldberg made a Motion to accept the site plan with a number of key conditions. Mr. Muroski seconded and all present Members were in favor. (see attached resolution) Mr. Goldberg then thanked all the participants for their efforts on this Site Application.

All records are on file at the Village of Pawling Planning Department.

Hudson Valley Plastics – 85 Charles Colman Blvd.

Mr. Johnson discussed various changes to enhance safety procedures for the project's truck traffic. These included sidewalk markings and requiring an employee with flags to be present whenever trucks enter or leave the warehouse and signage will be added in the gate area.

Chairman Goldberg said that an area of pervious surface in the upper right corner of the Site Plan (northeastern section) should add an additional 70 square feet of impervious green space in order to keep the site compliant with area coverage minimums after the proposed installation of the Verizon Wireless antenna. Mr. Johnson agreed to this change.

Mr. Goldberg asked the Village Engineer, Joe Berger to review his report. Mr. Berger reported he had no unaddressed concerns. Mr. Berger's report is attached.

Mr. Goldberg asked the Village Planner, Caren LoBrutto to review her report. Ms. LoBrutto suggested that parking for Hudson Valley Plastics and the 146 East Main Street restaurant be marked on the plan. Ms. LoBrutto confirmed that the Applicant had made changes to the landscaping plan based on previous feedback, but Mr. Muroski raised a concern that the revised plantings would turn out to be more attractive to deer. Mr. Muroski said that he'd provide suggestions on plants that are less attractive to deer but can be maintained at an appropriate height. Ms. LoBrutto's report is attached.

The Board and Mr. Johnson also discussed a variety of aesthetic issues including lighting, windows and fencing which would improve the way the proposed building would fit into the surroundings. Mr. Johnson agreed to discuss each of these issues with the Applicant.

A final question was asked about the internal configuration of the loading area and if it would necessitate internal construction. Mr. Johnson committed to reviewing that issue as well.

Mr. Goldberg made a Motion to continue the Public Hearing. Mr. Musella seconded and all present Members were in favor.

The secretary said that no comments were received in Zoom or email.

Mr. Goldberg made a Motion to close the Public Hearing. Mr. Musella seconded and all present Members were in favor.

All records are on file at the Village of Pawling Planning Department.

Adjournment:

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

Submitted by:
Jennifer Strehle, Secretary

MEMORANDUM

To: Village of Pawling Planning Board
From: The Chazen Companies, Caren LoBrutto
Date: December 3, 2020
Re: 146 East Main Street, FKA McGraths
Project #: 81931.03, Task 0103

SUMMARY

The Applicant/Owner, Main Corner Properties, LLC, is seeking site plan approval from the Planning Board to construct a new, 8,321 SF¹, 2 ½-story, 135-seat² restaurant with related site improvements (41 parking spaces, landscaping, refuse enclosure, propane tank, utilities) at 146 East Main Street, which was previously occupied by a restaurant known as McGraths.³ There is also an accessory dwelling unit located on the site which will be demolished as part of the project. The project site is located within the Residential 2 (R2) Zoning District and at the start of the application to the Planning Board, the prior 140-seat restaurant had been vacant for at least six months. The project site occupies an approximately 0.59 SF tax parcel 134001-7056-09-244711 and abuts the Watts-Slocum Burying Ground, which is identified on the Dutchess County Historical Survey. The property received a variance in 1994 allowing the continued use of a restaurant within the previously existing restaurant building on site.

The following approvals are anticipated to be required for this project:

- PB Site Plan Approval
- Sign Permit
- Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit (Permit No. GP-0-20-001)

The property received approval for the following area variances at the ZBA's 11/18/2020 meeting:

- ZBA Area Variances
 - Front yard
 - Side yard
 - Lot coverage
 - Parking stall size
 - Parking located in setback

In addition, a new use variance was granted for the property. A Conditional Negative Declaration Notice of Determination of Non-Significance was adopted by the Board on 10/13/2020.

¹ Increased from 8,290 SF in earlier submissions.

² Reduced from 200 seats in prior submissions. The Applicant has indicated the number of seats has been reduced based on current social distancing requirements and in response to parking concerns.

³ The Applicant/Owner demolished the existing vacant restaurant (built 1935 – 1940) in Spring/Summer 2020. The accessory residential building has not yet been demolished.

NEXT STEPS

A final sign off letter from SHPO is required prior to site plan approval. Otherwise, please see my comments below.

COUNTY REVIEW

A referral to the Dutchess County Department of Planning is required under General Municipal Law 239 because the site is located on a State road. The County responded in a March 9, 2020 with recommendations about lighting, landscaping, and pedestrian infrastructure, including a sidewalk link between Route 22 and East Main Street at the north edge of the cemetery.

The Applicant should respond to the following comments.

ZONING ANALYSIS

1. The site plan shows an LED model 1521LED-Omega Series by Sternberg Lighting, which is an appropriate fixture having a color temperature of 4,000K, which will provide a softer more yellow light than a higher rating. The backlight, upright and glare (BUG) rating is low, which is good. Other technical specifications indicated reduced glare. There is minimum light spill over the property line. However, the Applicant should provide house-side shields on the two pole mounted fixtures on the north property line. The canopy lights have not been specified, nor included in the photometric plan. However, when installed, should provide additional lighting at walkways improving the foot candle readings in these areas.
2. The north western light pole should be moved to align with the parking stall stripe to reduce the chance of interaction between parked cars and the light pole.
3. Light level will still be low at sidewalk near west entrance due to distance from and between street lightpoles. The Board may wish to consider options to add light to the sidewalk proposed within the right-of-way (ROW).
4. The Board should consider long-term maintenance needs for the sidewalk as it is proposed within the ROW.
5. The Applicant has stated they will implement dimmers and/or photoelectric shut-off switch for lighting fixtures after hours of operation. A note should be added to the site plan to state that the Applicant will be responsible for this implementation.
6. The plant referred to as "N" on planting schedule should have the botanical name corrected for the Dwarf Andorra Juniper to be Juniperus Horizontalis 'Plumosa', if that is your intention.

DOCUMENTS REVIEWED

- Village of Pawling Planning Board Combined Application Form
- Statement of Use
- Waiver request for size of parking spaces

- Full Environmental Assessment Form - Part 1 last revised 6/29/20
- Site Survey of existing conditions (reduced copy) as prepared by Robert V. Oswald, LS, dated 7 /8/19
- Aerial plan of existing site and surroundings
- Letter from Village of Pawling Building Inspector/Code Enforcement Officer, dated 12/17 /19 regarding use variance
- Village of Pawling Zoning Board of Appeals decision and minutes, date 11/29/94
- Site Plan (C100), Erosion and Sediment Control Plan (C101), Landscaping Plan and Details (C102), Lighting Plan and Details (C103) and Details (C500), prepared by Zarecki & Associates, LLC, dated 1-24-2020, last revised 11/30/2020
- Schematic building plans (A-1) and elevations (A-2), prepared by J Group Designs, LLC, dated 1/24/2020
- Letter from J Group Designs LLC dated 06-09-20 responding to Chazen Companies review of 02-10-20
- Letter from J Group Designs LLC dated 06-09-20 responding to Joseph P Berger P.E. of Berger Engineering and Surveying PLLC review letter of 01/10/20
- Letter from J Group Designs LLC dated 06-29-20 to Planning Board stating reduction in seats from 200 to 135.
- Watts and Quaker Hill Burial Ground information
- NYSOPRHP not eligible determination for the restaurant building on 2/26/2020
- NYSOPRHP 2/27/2020 letter requesting more information
- NYSOPRHP 3/6/2020 letter recommending Phase 1A
- Phase 1A Archaeological Sensitivity Assessment, dated June 2020, prepared by Strata Cultural Resource Management
- An End of Fieldwork (EOF) Letter (dated 9/25/2020) for the Phase IB Archaeological Field Investigation prepared by Strata Cultural Resource Management
- NYSOPRHP 9/30/2020 letter, conditional no concern letter
- Berger Engineering and Surveying Comment Letters, dated 1/10/2020 and 6/9/2020
- Dutchess County Department of Planning and Development 3/9/2020 Letter (Referral # 20-071)
- Final Full Environmental Assessment Form with notes dated 10/13/20
- Letter from J Group Designs LLC dated 11/23/20 responding to Chazen Companies review of 10/9/20



12/07/20

Village of Pawling
9 Memorial Avenue
Pawling, NY 12564
(845) 855-1122

RE: 146 East Main Street Application

Chairman and Members of the Village of Pawling Planning Board

MEMO

Review for engineering the last set of plans last revised 11-30-20 from Zarecki and Associates

1. Storm water treatment
The proposed site plans show the storm water collected and discharged to dry well and the roof leader from the new building tied into an existing catch basin
A SWPPP report should be provided to verify capacity of proposed drywells as well as capacity of existing storm sewer as well as how the plan meets all state SWPPP requirements.
2. Site grading and layout
The site grading and layout works for the intended use. Grading along the north property line does go into the adjoining lot, however I understand the same owner owns both parcels. I defer to Village Attorney on the need for any easement.
3. Landscaping and Lighting has been reviewed by Village Planner

4. Sanitary Sewer and Water.

The Village Sewer Plant has sufficient capacity as stated in an email from Dan Stone of Chazen Companies dated 12/09/19.

Water- I understand the applicant is only requesting approval for the same number of tables and usage as was allowed under the previous restaurant.

I recommend that the connections to sanitary sewer and water service as well as usage of same be reviewed by Dan Stone PE of Chazen Engineering to assure capacity for this proposal.

Joseph P Berger PE LS

Joseph P Berger

Village Engineer for the Planning Board

FILED WITH

DEC 09 2020

VILLAGE CLERK

At a Meeting of the Village of Pawling Planning Board held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 8th day of December 2020, at 7:00 PM

RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF PAWLING

Identifier: Site Plan Approval 146 East Main Street

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

P R E S E N T:

Chairman Steve Goldberg
 Lou Musella
 Robert Pfister
 Adam Muroski
 Scott Nickerson

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

WHEREAS, the Village of Pawling Planning Board (“ Planning Board”) has received an application from the owner of the property located at 146 East Main Street in the Village (the “Applicant”) for site plan approval; and

WHEREAS, on or about October 13, 2020 the Planning Board issued a Conditional Negative Declaration with conditions in accordance with SEQRA; the Conditions of which have been met on or about December 7th, 2020.

WHEREAS, on or about November 18, 2020 the Zoning Board of Appeals issued the required variances, with conditions, for the project;

WHEREAS, the Planning Board has reviewed the application for site plan approval and the documents submitted therewith; and

WHEREAS, the Planning Board has reviewed the criteria for site plan approval set forth in Section 98-65 of the Code of the Village of Pawling and determined that site plan approval with conditions is appropriate; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board hereby approves the application for site plan approval for 146 East Main Street, as amended, subject to following conditions:

1. Applicant's monthly water usage shall not exceed the average monthly water consumption by McGrath's during their last twelve months of operations. This restriction shall remain in place until the Board of Water Commissioners determines there is sufficient water supply in the Village to meet the needs of the Village residents and business and to support increased usage at the premises.
 2. The Applicant will make commercially reasonable efforts to ensure that customers and/or staff do not park on East Main Street adjacent to the property including, but not limited to, posting a notice of the parking restrictions in plain sight in, or at, the entrance to the restaurant on or adjacent to the back door to the restaurant and on a minimum of two light poles within the parking lot;
 3. Employees will not be permitted to park in the parking lot adjacent to the restaurant and Applicant will maintain sufficient employee parking at the Hudson Valley Plastics parking lot;
 4. When events are scheduled for rooms located on the second floor of the restaurant between Friday 5 P.M. and Sunday 5 P.M., Applicant will provide shuttle transportation to and from the Hudson Valley Plastics parking lot, as appropriate.
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5. House side shields shall be added on the pole mounted fixtures on the north property line.
 6. The north western light pole shall be moved to align with the parking stall stripe.
 7. Dimmers and/or photoelectric shut-off switches to shut lighting fixtures after hours of operation shall be installed.
 8. This approval is limited to and conditioned upon the plans, specification and uses set forth in the application for site plan approval, as amended, and the reports of the Village Engineer and Village Planner submitted to and accepted by the Planning Board in review of the application.


NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board Chair is authorized to sign and stamp the site plan, with conditions, upon the Applicant's satisfaction of the submission requirements set forth in Section 98-65 of the Code of the Village of Pawling.

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	<u>X</u>	—	—
Lou Musella	<u>X</u>	—	—
Robert Pfister	—	—	—
Adam Muroski	<u>X</u>	—	—
Scott Nickerson	—	—	—
TOTAL	<u>X</u>	—	—

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 December 8, 2020.

Date: December 8, 2020



 Jennifer Strehle, Secretary



12/07/20

Village of Pawling
9 Memorial Avenue
Pawling, NY 12564
(845) 855-1122

RE: HUDSON VALLEY PLASTICS 85 CHARLES COLMAN BLVD

Chairman and Members of the Village of Pawling Planning Board

ENGINEERING REVIEW OF PROJECT

1 WATER

The project site is using an existing well thus no impact on Village Water. The proposed building will have a dry sprinkler system for fire protection

2 SEWER

Site utilizes municipal sewer however since there will be no increase in employees there will be no anticipated increase in sanitary sewer thus no impact on Village sewer

3 WASTE MANAGEMENT

Site will utilize an existing dumpster area which will not be affected by this proposals.

4. SITE LIGHTING

The proposed expansion is on the north side with proposed loading dock facing Charles Colman Blvd. No light is shown. Any proposed lighting showed with illumination levels

5. PARKING AND LOADING AND TURNING RADIUS FOR TRUCKS

The number of parking spaces is listed in the proposal and will be reviewed by the Village Planner for compliance with code.

The area where the building expansion is proposed is currently the location of several containers set on an existing asphalt pavement area.

The Turning radius for trucks turning into and out of site has been provided and is acceptable. Proposed slope and elevations for parking lot should be provided.

Satisfied Contour elevations shown as well as spot elevations

6. BULK TABLE AND ZONING

This information was provided and is being reviewed by the Village Planner

7. RETAINING WALL

The proposal includes the construction of a retaining wall on the north side, Details of the wall should be provided.

Satisfied

8. LANDSCAPING

Proposed landscaping is shown and will be reviewed by the Village Planner.

9. STORMWATER

The proposed building expansion is located on the north side of the existing building in an area where an existing asphalt pavement area exist. The area currently drains to catch basin at the north side of the existing building. The proposed expansion will cover this catch basin and will slightly increase the impervious area on the site.

The engineer should show the area of disturbance and show how the stormwater runoff will be collected and directed from the new building as well as how the runoff currently flowing to the existing catch basin will be handled.

Satisfied

Joseph P Berger PE LS

Joseph P. Berger

Village Engineer for the Planning Board

MEMORANDUM

To: Village of Pawling Planning Board
From: The Chazen Companies, Caren LoBrutto
Date: December 3, 2020
Re: Hudson Valley Plastics
Project #: 81931.03, Task 0105

SUMMARY

Applicant/Owner: Colman Union Properties

Tax Lot(s)/Location:

- 7057-17-039114 Charles Colman Boulevard
- 7057-17-045093 85 Charles Colman Boulevard

Total Acreage: 2.23 acre

Current Zoning District: Split-zoned between B1 Business Zoning District and I Industrial Zoning District

Current Use: The site has been used as a factory for many years and is currently occupied by Hudson Valley Plastics, a custom plastic manufacturing facility. The area proposed for the expansion appears to currently be used for storing trailers and pallets located within the fenced area.

Proposed Project: The site is currently used as a manufacturing facility with related office and warehouse uses, which is a permitted use in the Industrial District. In addition, there is an additional site (located at northwest corner of Charles Colman and Union Street intersection and not part of this application) which currently serves as warehouse space for the daily operations of the manufacturing business. The proposed 8,400 SF, one-story (approximately 35 feet tall) warehouse expansion (adjacent and contiguous to the existing manufacturing buildings) will relocate the primary warehouse function of the off-site building to the proposed on-site warehouse space. This is proposed to eliminate the daily flow of traffic, forklifts, etc. across Charles Colman Boulevard and between the existing structures as well as to minimize double parking of delivery trucks on the southbound side of the Boulevard. The current warehouse space will subsequently be utilized for overflow storage for items that do not need constant movement to and from the factory. Note that the building located on tax lot 021092 (not proposed as part of the project site) is zoned B1, which according to the Zoning Code does not allow storage or warehouses. Currently, the Applicant states that excavation will be limited to foundation/footing placement and related activity for construction of the building expansion. Note that there is a deed restricted area located on the site where parking is proposed which is subject to a NYSDEC Site Management Plan.

With the expansion, the entire building will total 45,400 SF, including 10,000 SF of office space, 26,600 SF of manufacturing and storage space, and 8,400 SF of dedicated warehouse space.

The current factory operations run 24 hours a day, five days a week, in three, 8-hour shifts. There are approximately 40 employees at the factory, with the majority employed during the main shift and only 5 during second and third shifts. 30 people maximum at largest shift. No new employees are proposed as part of the proposed action to expand the facility.

No special material handling guidelines are required for the operations according to the Applicant.

The existing site is accessible from Charles Colman Boulevard thru several existing curb cuts. As part of the proposed project, it is proposed to extend/widen the existing curb cut on the northerly side of the Charles Colman Boulevard frontage for access to the proposed warehouse. This will require the relocation of an existing utility pole. An enclosed loading area will be within the new warehouse space. The new loading area is proposed to reduce the number of larger delivery vehicles currently being temporarily parked on Charles Colman Boulevard. Box and large tractor trailers are anticipated to access the site between 1 and 5 times a day according to the Applicant.

Permits and Approvals:

- PB Site Plan Approval

SEQR: The project is classified as an Unlisted Action.

GML 239 Referral: Yes, project is located within 500 feet of State-owned land and requires site plan approval.

NEXT STEPS

The application is not yet complete. Please see my comments below.

ZONING ANALYSIS

1. The project includes provision of 96 parking spaces, which requires a waiver of 15% from the required total parking (113 spaces) from the Planning Board per Zoning Section 98-22(I). The Applicant has stated that the maximum employee count during any shift is 40 or less. Note that as part of the 146 E. Main Street project, 10-15 employees are proposed to park at this site. Therefore, based on the information provided by the Applicant, the 96 parking spaces should be sufficient for the approximately 55 parking spaces being demanded. The 10-15 employee parking spaces should be denoted on the site plan and all 55 spaces should be shown as permanent and proposed for construction on the site plan.
2. Provide manufacturer and model of the fixture shown on the plan. A spec sheet of LED light fixture should be included.
3. Recommend replacing Green Giant Arborvitae (Full Grown Height =50-60 ft.) with Emerald Green Arborvitae at 15-17 ft mature height and 2-3 ft. wide; a 6-8 ft. high planting specification is sufficient.

ENVIRONMENTAL REVIEW

The Board should consider making a determination of significance at the next meeting.

SITE PLAN REVIEW

1. Please provide documentation submitted to the MTA and any related correspondence. **PENDING**
2. Please indicate on site where the fire lane will be.
3. A portion of the site is subject to an environmental easement and site management plan (SMP). The building expansion area is not located within the deed restricted area; however, a portion of the area proposed for parking is located within this area. The NYSDEC has stated that there is no soil vapor intrusion evaluation required based on the description of the proposed action but that this area is subject to the provisions of the SMP Excavation Work Plan. In addition, existing groundwater monitoring wells in the parking lot must be protected. The Planning Board should consider adding a condition to the site plan approval that reinforces that the Applicant comply with the SMP. It is not necessary to make this a condition of the SEQR determination of significance if the Planning Board makes it a condition of the site plan approval.

DOCUMENTS REVIEWED

- Project Statement of Use
- Village of Pawling Site Plan Application
- Current Deed
- Short Environmental Assessment Form (SEAF)
- Waiver Request Letter
- Aerial Map
- Site Plan Set, including Amended Site Plan (SP-1), Enlarged Site Plan (SP-1A), Proposed Plan and Elevation (A-1), Proposed Elevation with Site Conditions and Landscaping (A-2), dated 9/29/2020 and prepared by J Group Designs. Revised 12/1/2020 Site Plan Set.
- Property Survey, Robert V. Oswald, dated 1/15/2019. Not stamped.
- Filed Map 9727
- V00218 Voluntary Cleanup Program record
- Response to Comments 10/27/2020
- Parking Waiver Request 10/27/2020
- Full Environmental Assessment Form (FEAF)
- Environmental Easement 6/25/2018
- Site Management Plan, V00218
- Vapor Well Installation and Sampling Report 8/13/2007
- Final Engineering Report 7/31/2009
- Response to Comments 11/30/2020