

## THE VILLAGE OF PAWLING PLANNING BOARD MINUTES

**Date:** April 17, 2019

**Present:**

Michael Cerny, Acting Chairman  
Lou Musella, Member  
Gerald Locascio, Member  
Rob Pfister, Member (Recused)  
Adam Muroski, Member

**APPROVED BY**  
**VILLAGE OF PAWLING**  
**PLANNING BOARD**

**Also Present:**

Earl Slocum, Trustee  
Lauri Taylor, Trustee  
Michael Liguori, Hogan & Rossi  
Amelie Rennolds, Architecture, PLLC  
Vinny DiMarco  
Ben Christgau, Tacos & Cones

On Wednesday, April 17, 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 2/26/19**

Mr. Locascio made a Motion to accept the Minutes from the 2/26/19 Meetings for the Planning Board. Mr. Musella seconded the Motion and all present Members were in favor.

### **Sankalpa Ventures, LLC**

Mr. Cerny welcomed Adam Muroski to the board. First on the agenda is Sankalpa Ventures, LLC. Michael Liguori introduced himself as the attorney representing the client. There was a discussion about how they came about to the Planning Board for site plan approval.

Mr. Cerny asked if there is retail involved. Mr. Liguori said yes there is carry out. Mr. Cerny said it is a dual use of bakery/café. Mr. Musella asked the difference between a café and a restaurant. Cynthia Kinahan owner of Pawling Bread Co. said that a restaurant has a full menu and a café has a limited menu.

Mr. Musella asked Mr. Liguori what is different between the new site plan and the old site plan. Mr. Liguori said that the floor plan was the same. Mr. Musella asked if the patio and fence were on the original site plan. Mr. Liguori thought so. Mr. Cerny said that the screening was not on the plan which is different and he thought that it was located on the adjoining property. Mr. Musella asked the secretary to look at the original plan. Mrs. Strehle confirmed that the patio

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and screening was not on the original plan and said that she received an e-mail on January 24, 2019 from Jay Erickson asking to add 10 East Main, Sankalpa Ventures to the next planning board meeting agenda to present an amendment to the site plan to include the patio fence. Mr. Cerny asked if we had a letter from the adjoining neighbor for the fence. Mrs. Strehle said yes we have the lease agreement. She said that they need a permit for the fence once plans are approved by the Planning Board.

Mr. Musella asked about hours of operation. Mr. Liguori said now the client is operating on Saturdays and Sundays. He asked the occupants of the building and there use would not be prior to 8:00 am or post 9:00 pm during a business day. As there business develops they may be open to 11:00 pm Mr. Cerny said 7:00 am to 11:00 pm

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 to recuse himself. Mr. Cerny said that Mr. Pfister would not be involved with the discussion of Sankalpa Ventures, LLC.

Mr. Cerny read the attached memo dated April 14, 2019 – Amended April 16, 2019 from Kelly Libolt of KARC Planning Consultants Inc.

Mr. Cerny asked when they would be using the outdoor spaces. Mr. Liguori said it would be weather permitting. In the future they would use the spaces during their regular hours of operation. Mr. Liguori said the use would be utilized to the noise ordinance. Mr. Cerny said what the board is asking about is amplified music in the outdoor space which might create a problem. Mr. Foscatto said that there are provisions for a speaker in the back of low music. Mr. Cerny asked about the lighting plan for the back area. Mr. Foscatto said that what they are planning is 3 strands of string lights hanging over the patio and no additional lights on the balcony or speaker.

Mr. Cerny asked Ms. Rennolds if there is a survey map showing the location of the outdoor patio and setbacks from the property line. Ms. Rennolds said she can take the dimensions and super impose them on the property map drawing. She will do that and send it to the Planning Board.

Mr. Cerny had a discussion about parking laws. He feels that the number of spots will be similar to the previous business Petite. His count was 24 seats, with no second floor and it was a restaurant. There biggest crowd was in the evening when there is more parking. His perspective is that they are roughly the same.

Mr. Cerny read the attached SEQR.

Mr. Musella made a Motion to declare a Negative Declaration. Mr. Muroski seconded the Motion and all present Members were in favor.

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Mr. Musella made a motion to amend resolution #7. Mr. Locascio seconded and all present Members were in favor.

7. The Planning Board should classify the Action and determine the significant of the action according to SEQRA and suggest that the Board make the following Resolution:

The Village of Pawling Planning Board has received an application for 10 East Main Street for the conversion of an existing 1 story (with basement) 1,050 (+/-) sq. Ft building to a Bakery / Café / Community Space.

The Planning Board has reviewed the submitted materials including a Short Form EAF dated March 11, 2019 and according to 6 NYCRR 617.6, determines the following:

A. The action is an Unlisted Action.

B. The Planning Board is the only involved Agency and therefore the Planning Board will perform an uncoordinated SEQRA Review of the project.

C. Further the Village of Pawling Planning Board has reviewed the criteria listed in 6 NYCRR 617.7(c) and determines that the project will not have a significant impact on the environment.

Mr. Locascio made a Motion to approve site plan. Mr. Musella seconded and all present Members were in favor.

#### **Concept Discussion: Tacos and Cones**

There was a discussion about a gazebo that was constructed on the property of 9 East Main Street without a building permit. Mr. Cerny requested a layout of the plans for the tables, chairs, gazebo, and color of gazebo and lighting which is required for approval.

#### **Adjournment:**

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

Submitted by:

Jennifer Strehle, Secretary

## MEMORANDUM

**Date:** April 14, 2019 – Amended April 16, 2019  
**To:** Village of Pawling Planning Board  
**From:** Kelly Libolt  
**Re:** 10 East Main Street Proposed Bakery/Café/Community Space

We have reviewed the materials listed at the end of this memorandum and offer the following information:

1. The project is located at 10 East Main Street, Tax ID Number 7056-05-038991. The Building Owner is listed as Sankalpa Ventures LLC.
2. The Applicant is proposing to convert the 1 existing 1 story (with basement) 1,050 (+/-) sq. ft building to a Bakery/Café and Community Space.
  - a. The basement will be utilized as a kitchen (250 sq. ft.).
  - b. The first floor will be utilized as a coffee bar with 10 seats (770 sq. ft.)
  - c. The first floor will include a 365 sq. ft. exterior patio with a 5' 3" steel metal fence
  - d. The action also includes the addition of a second floor of approximately 585 sq. ft. for use as a terrace and "Community Space" for 23 seats.
3. The project is located in the B1 – Zoning District. The following uses are permitted in the B-1 Zoning District subject to Site Plan Approval.

### Restaurant

Outdoor Café and Table Service

Public Assembly Places (e.g. Community Building)

*Retail*

4. The Applicant should provide hours of operation for all uses. Further, the Applicant should address the uses on the outdoor patio and second floor community room and how noise and lighting during off prime hours may affect adjoining uses.
5. The Applicant should provide a survey map showing the location of the outdoor patio and setbacks from the property line.

6. Consistent with the requirements of Section 98-22(B) (Local Law # 6 of 2014), the Applicant has not provided any written evidence regarding parking for the proposed uses. The following are the parking guidelines for the proposed uses:

**Restaurant** – 1 space for 150 sq. ft. of gross floor area. The restaurant area includes the following:

Kitchen/ Basement - 250 sq. ft.

Coffee bar with 10 seats - 770 sq. ft.

Patio - 365 sq. ft.

Total –  $1,385 / 150 = 10$  parking spaces

Public Building (Community Use) – 1 space per 200 sq. ft. gross floor area and no less than 1 space for each 5 seats provided\*.

**Community Use** - 585 sq. ft. and 23 seats.

Total =  $585 / 200 = 3$  spaces

Total =  $23 \text{ seats} / 5 = 5$  spaces \*

The guidelines therefore suggest 15 parking spaces. Section 98-22(B) requires that the Applicant provide a number of off-street parking spaces that the Planning Board deems reasonable. At a minimum, the Applicant needs to provide the Planning Board with the plan for the parking for the proposed uses.

7. The Planning Board should classify the Action and determine the significant of the action according to SEQRA and suggest that the Board make the following Resolution:

The Village of Pawling Planning Board has received an application for 10 East Main Street for the conversion of an existing 1 story (with basement) 1,050 (+/-) sq. Ft building to a Bakery / Café / Community Space.

The Planning Board has reviewed the submitted materials including a Short Form EAF dated March 11, 2019 and according to 6 NYCRR 617.6, determines the following:

- A. The action is an Unlisted Action.
- B. The Planning Board is the only involved Agency and therefore the Planning Board will perform an uncoordinated SEQRA Review of the project.

- C. Further the Village of Pawling Planning Board has reviewed the criteria listed in 6 NYCRR 617.7(c) and determines that the project will not have a significant impact on the environment.

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**OPTIONAL    OPTIONAL    OPTIONAL**

- 8. If upon their review of the documents and satisfactory evidence requested by the Board, (lighting, noise and hours of operation of the proposed uses is acceptable to the Board, that the Board is satisfied with the available parking, and that the proposed improvements for the patio are located wholly within the subject property). Planning Board could take action to conditionally approve the project, with the following:

The Village of Planning Board has received an application for 10 East Main Street for the conversion of an existing 1 story (with basement) 1,050 (+/-) sq. ft building to a Bakery / Café / Community Space. The Planning Board has reviewed the submitted materials and grants Site Plan Approval for the project subject to the following:

- A. Submit written documentation sufficient to Planning Board regarding noise, lighting and hours of operation.
- B. Provide copy of survey with proposed patio and improvements/required setbacks properly located.
- C. Document available on or off-street parking.

**Materials Reviewed:**

- 1. Correspondence from Hogan & Rossi dated March 11, 2019.
- 2. Site Plan Application dated March 12, 2019.
- 3. Short EAF dated March 11, 2019.
- 4. NYDOS Building Code Variance dated March 4, 2019.
- 5. Floor Plan and Elevations prepared by Amelie Rives Rennolds dated March 8, 2019.

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

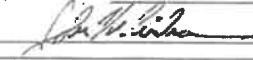
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: 10 East Main Street			
Project Location (describe, and attach a location map): 10 East Main Street, Pawling, NY 12564			
Brief Description of Proposed Action: The plan is to renovate the existing building including adding a second story. No change of use or environmental impact is anticipated.			
Name of Applicant or Sponsor: Sankalpa Ventures, LLC		Telephone: 917.627.3338	
		E-Mail: roostahman@gmail.com	
Address: 42 Old Route 55			
City/PO: Pawling		State: NY	Zip Code: 12564
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: building permit			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.03 acres	
b. Total acreage to be physically disturbed?		<0.01 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.03 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: we intend to explore geothermal heating / cooling, as well as solar panels on the roof for electricity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	NO	YES
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	NO	YES
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	NO	YES
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: Jay Erickson / Sankalpa Ventures, LLC</p>	<p>Date: <u>3/1/19</u></p>	
<p>Signature: <u></u></p>		

