

THE VILLAGE OF PAWLING ZONING BOARD MINUTES

Date:	December 16, 2020
Present:	Michael Keupp, Chairman Ann Hardeman Nicholas Vorolieff Tom Zarecki Michael Mersand
Also Present:	Jonathan Bardavid, Attorney Curt Johnson, Architect Diana Tomassetti, Applicant Scott Olson, Attorney

On Wednesday, December 16, 2020 at 7:00 PM, the Zoning Board held a Zoom conference. The Meeting was called to order by Jennifer Strehle, Secretary, and began with the Pledge of Allegiance and the roll call as above indicated.

ANNOUNCEMENT: Due to public health and safety concerns related to COVID-19, the Village of Pawling Zoning Board of Appeals will not be meeting in-person. In accordance with the Governor's Executive Order 202.1, the December 16, 2020 Zoning Board of Appeals meeting will be held via Zoom Video Conferencing, and a transcript will be provided at a later date.

Minutes:

Mr. Vorolieff made a Motion to accept the minutes of the November 18, 2020 meeting. Mr. Mersand seconded the Motion and all present Members were in favor.

Mr. Vorolieff made a Motion to accept the 2021 Meeting Schedule. Mr. Keupp seconded the Motion and all present Members were in favor.

Verizon Wireless – 85 Charles Colman Blvd.

The Chairman asked the applicant Scott Olson who was representing Verizon Wireless to present the project.

The Applicant proposes to install one antenna and related equipment on an existing forty foot (40') building located at 85 Charles Colman Boulevard, and an equipment platform within a sixty six foot (66') lease area at the base of the building. All records are on file at the Zoning Department.

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

1. Yvonne Potter is concerned about the wildlife.
2. Natash Rubirosa is opposed to the antenna.
3. Lou Musella is for the antenna and stated facts about the project and village.
4. Jeanette Daniels agreed with Yvonne Potter and wanted to give her additional 2 minutes for Yvonne to speak. She said the view from Walnut Street would be ruined from the antenna.
5. Glen Carey is in favor of the antenna.

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

Mr. Keupp made a motion to approve all five of the variances. Mr. Vorolieff seconded the Motion and all present Members were in favor. (see attached decision)

Adjournment:

Mr. Keupp made a Motion to adjourn the Meeting. Mr. Vorolieff seconded the Motion and all Members were in favor.

Submitted by Jennifer Strehle
Secretary of the Zoning Board of Appeals

**NOTICE OF PUBLIC HEARING ON
APPLICATION FOR SMALL CELL TELECOMMUNICATION ANTENNA**

PUBLIC NOTICE is hereby given that a public hearing will be held by the Zoning Board Appeals of the Village of Pawling on Monday, November 18, 2020 at 7:00 p.m. via Zoom Video Conferencing, on the application of Cellco Partnership d/b/a Verizon Wireless (“Verizon Wireless” or the “Applicant”) to the Village of Pawling Zoning Board requesting municipal approval to construct, maintain and operate a public utility/personal wireless service facility (the “communications facility”) on a portion of lands located at 85 Charles Colman Boulevard, Village of Pawling, County of Dutchess, State of New York (Tax Map No. 7057-17-045093).

The Applicant proposes to install one antenna and related equipment on an existing forty foot (40’) building located at 85 Charles Colman Boulevard, and an equipment platform within a sixty six foot (66’) lease area at the base of the building.

The proposed communications facility is unmanned, and will be visited for routine maintenance purposes approximately two times per year. As such, this project will not have any impact on existing water and sewage services. In addition, neither pedestrian nor vehicular access will be significantly impacted.

Questions concerning this proposed facility can be directed to the Applicant’s representative, Scott P. Olson, Esq., who can be reached at (518) 438-9907 ext. 258 or solson@youngsommer.com.

ANNOUNCEMENT: Due to public health and safety concerns related to COVID-19, the Village of Pawling Zoning Board of Appeals will not be meeting in-person. In accordance with the Governor’s Executive Order 202.1, the November 18, 2020 ZBA meeting will be held via Zoom Video Conferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live and provide comments. Comments can also be provided via email before and after the meeting to Jennifer Strehle jstrehle@villageofpawling.org Please check the website for further instructions and updated information.

The public can listen to the live meeting on November 18, 2020. Five minutes before 7:00 P.M. follow instructions below.

<https://zoom.us/j/93075526470?pwd=Mjg3SThBM1pMYTBVN2RGT3RoejhTdz09>

Meeting ID: 930 7552 6470 Password: 536259

One tap mobile +1 929 436 2866 US (New York)

Dated: October 27, 2020

*Village of Pawling
9 Memorial Avenue
Pawling, New York 12564*

Tel. (845) 855-1128
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***DECISION
(Area Variance)
Zoning Board of Appeals
Verizon Wireless
85 Charles Colman Blvd.
Pawling, NY 12564
Grid No. 7057-17-045093 (I-1 Zone)
December 16, 2020***

On December 16, 2020, the Zoning Board of Appeals, Village of Pawling, NY 12564 with the following Board Members present: Chairman Michael Keupp, Nicholas Vorolieff, Ann Hardeman, Tom Zarecki and Michael Mersand voted unanimously to grant an area variance to applicant Verizon Wireless with the following comments:

Provision of the Zoning Ordinance Appealed:

Schedule C: Area and Bulk Schedule, Maximum Building Height: The current height of the existing building is 40 feet, the top of the proposed antenna is 49.17 feet, and the maximum height allowed in the Industrial Zoning district is two (2) stories or 35 feet.

Section 98-85(G)(5)(c) - The local law requires a setback from the property line to be no less than 1.5 times the height of the tallest proposed structure or the underlying setback requirements.

Section 98-85(H)(13) -The local law requires all electrical power to be installed underground.

Section 98-85(G)(5)(a) - Prohibited within 1,000 feet of any park, school or daycare center.

Section 98-85(G)(5)(b) – Prohibited within 500 feet of an occupied residence.

MOVED: Michael Keupp
SECONDED: Nicholas Vorolieff
Motion was carried.

FILED WITH
DEC 16 2020
VILLAGE CLERK