

PRESENT: George Brehm Chairman, Corinne Pitt, Aaron Cioppa, Eric Paulson, William Vollmer, Dr. Thomas Bloom and Amie Rennolds.

CONTENTS: Tahini Land Company LLC (Lot Line Realignment), Worksession and Minutes.

There was one (1) person in the audience.

Chairman Brehm led the salute to the flag and then opened the meeting at 7:00p.m.

TAHINI LAND COMPANY LLC.

Final Approval/Lot Line Realignment

*Beaver Pond Farm*

North Quaker Hill Road

Pawling, NY 12564

Grid Number: 134089-7158-00-535771

Hammersley Hill Farms LLC

Quaker Lake road

Pawling, NY 12564

Grid Number: 134089-7158-00-338714

Mr. Joseph Zarecki P.E. was present representing the applicant.

Chairman Brehm said the property is located at North Quaker Hill Road and Quaker Lake Road in the CD-5 Zoning District. The project is at a point for final approval. Mr. Gainer P.E. prepared a resolution dated October 21, 2019 subject to conditions for the Board this evening.

Mr. Paulson read into the record Resolution #11 of 2019 for Tahini Land Company LLC. and Hammersley Hill Farms LLC., Lot Line Adjustment Final Subdivision Approval located at 947 North Quaker Hill Road and Quaker Lake Road , Pawling, NY. Tax map #134089-7158-00-535771 & 134089-7158-00-338714. (copy in file)

Second by Mr. Aaron Cioppa. Chairman Brehm asked for discussion.

Role call:

Chairman Brehm aye

William Vollmer, aye

Amie Rennolds, aye.

Corinne Pitt, aye.

Dr. Bloom, aye.

Aaron Cioppa, aye

Eric Paulson, aye.

MINUTES

Motion by Mr. Cioppa to approve the Minutes of September 03, 2019 and October 07, 2019 as read.

Second by Mrs. Pitt. Chairman Brehm asked for discussion.

All were in favor and the Motion carried.

NEW BUSINESS

i. Brito Karate- Follow up discussion on Site Plan

Chairman Brehm said Brito Karate submitted a Site Plan application on May 20, 2019. Presently, there has been no correspondence advising the Board on the status of the application or if the applicants plan on continuing with Site Plan approvals. Recently, the applicants received approval by the building department for two families to live in the upper level, one apartment, with one kitchen. Per the Code Enforcement Officer the

applicants were allowed to move in to the dwelling occupying one legal apartment. Mr. Joseph Szilagyi' (CEO) opinion is when the building was constructed, the 1973 Code of the Town of Pawling allowed an owner to live upstairs and run a commercial business downstairs. Chairman Brehm is suggesting the Board consider a formal letter be written notifying the applicants that they must appear before the Board to discuss several outstanding technical and statutory issues to be resolved.

Dr. Bloom asked if the apartment under renovation has to be brought up to current Building and Fire code standards. The major issues are an antiquated sanitary sewer disposal system and the SSDS is in close proximity to the well, which could result in health hazard to the people living in the apartment.

Chairman Brehm responded that the questions regarding the people living in the apartment falls under the jurisdiction of the building department.

Motion by Dr. Bloom to authorize Chairman Brehm to write Brito Karate a letter requesting notification to the Planning Board, on any progress resolving outstanding technical and statutory issues and an update as to whether or not the applicant intends to continue with Site Plan approval.

Second by Mr. Vollmer. Chairman Brehm asked for discussion.

All were in favor and the Motion carried.

#### ii. Proposed Local Law Review - Farm Uses NYS Agricultural Districts Local Law

The Board began review of the proposed local law Farm uses NYS Agricultural Districts. The local law is broken down into three sections, new definitions, Animal Husbandry Farm Uses; New York State Agricultural Districts.

There was discussion amongst the Board members on the need for a definition explaining grazing and/or small animal to be added to Section 215-3. Following discussion, the Board concurred grazing animals definitions does not need to be included in the Code.

Section 3 Chapter 215-17.3. A. 2. reads as, Farming reinforces the special quality of life enjoyed by citizens, provides the visual benefits of open space and generates economic benefits and social well-being within the community.

Therefore, the Town of Pawling emphasizes to newcomers that this town encourages its agricultural and requests newcomers to be understanding of the necessary day to day operations.

- *Change word newcomer to read all residents.*

Section 3 Chapter 215-17.3. B. (c) reads as; The minimum lot size (except for farms) shall be one grazing acre for each large animal, including horses, ponies, sheep, goats, pigs or other similar sized animals which are kept, grazed, fed and cared for on the property: and

- *Remove the wording (except for farms) from the sentence.*

Section 3 Chapter 215-17.3. D. I. (b) reads as; There shall be no lot line setback restrictions on agricultural structures, except setbacks from lots that are either not within the agricultural district or lots that have existing residential uses. This setback requirement shall not apply to preexisting nonconforming structures.

- The paragraph should read; There shall be no lot line setbacks restrictions on agricultural structures. This setback requirement shall not apply to preexisting nonconforming structures.

The Board questioned if a farm held weddings or venues, should language relating to Board's review of these events be included explaining that the Planning Board review covers an expedited site plan review based on health, safety and welfare of the community.

Additionally under Section 215-17. 4.C. The Board read and considers this section C relating to buffers restrictions could be added under the Section of Farm Uses in a New York State Agricultural District.

C read as;

Buffers to agricultural required. The policy of the Town of Pawling is to encourage agriculture, so whenever agricultural uses and proposed nonagricultural uses adjoin, the applicant for the nonagricultural use shall provide buffers to reduce the exposure of these abutting uses to odors, noise and other potential nuisances associated with the farm use. Said buffer strips may consist of vegetative screening, woodlands, vegetative berms, or natural topographic features and, when required, shall be no less than 100feet in width and may be required to a width of 300 feet, depending upon the type of adjoining agriculture or farm use, the topography and the proposed design and planting of such buffers. It shall be the responsibility of the applicant, subject to approval by the Planning Board, to provide an effective buffer that will reasonably protect adjacent residential living areas from agricultural practices and to protect the agricultural use from nuisance complaints and nuisance lawsuits, from their non-farm neighbors, as a result of normal farm uses.

The Board asked to acquire clarification from Mrs. Nancy Tagilfario Town Attorney on both of the above questions.

#### ADJOURNMENT

On a Motion by Chairman Brehm and seconded by Mrs. Pitt to adjourn the meeting at 8:45 p.m. All were in favor and the Motion carried.

Respectfully submitted,



JoAnne Daley  
Recording Secretary

non - approved minutes