



- Aerial view of the site plan.
- Aerial view of the stormwater management area, parking spaces with 106 spaces, proposed building footprint, outdoor fenced play areas, the building will have green rooftops, not shown, loading area and parking spaces, 360-degree vehicle access, and landscape buffers.
- Recovery and Rehabilitation center, green rooftops, main entrance, and parking area - Western Perspective view
- Recovery and Rehabilitation center, ground-level view, western ground-level elevation view.
- Recovery and Rehabilitation center, green rooftops, fenced-in play area, loading area - Eastern elevation perspective view
- Grading plan
- Existing grading, proposed grading and site section view.
- Aerial view with green landscape buffers.

The zoning setbacks for the Mixed Business Industry (MBI) Zone is 250 feet. Currently, the setbacks are 381 feet from property side line, 445 from the rear property line, and 1000 feet from Cedar Valley residents. Some of the design features include a state-of-the-art facility, green roof, fenced in training areas, tree and shrubs will remain around the site. To provide further protection, we recommended that a portion of the 690' elevation be provided with earth berms to raise the elevation to 700', for a reduction in noise impact to the southern portion of the site. Mr. Caris presented an illustrated site map of the existing and proposed grade, which illustrates the proposed one (1) story building is marginally higher than the existing grade. All proposed buildings require a cut and fill to achieve the bottom of the footing elevation.

Mr. Hesselback said the ASPCA operates a similar building in North Carolina. The proposed facility in Pawling is unique. The land offers an aesthetic environment to provide a rehabilitation center for dogs. The center is not a public veterinary hospital or shelter. Currently the preliminary stages of the architectural building designs, and materials are being development. The ASPCA logo is a grey and orange building. The applicant presented illustrated drawings of the buildings profile. It was a conscious effort to nestle the building into the site grades. A view of the floor plan was presented illustrating the three building sections. There are distinct program detail sections, that were presented, entry/administration, staff support, meeting space, medical and building support, wide halls, mini medical exam rooms, central medical support for x-ray medical hold exam and dental treatments, typical dog pod kitchens, typical dog pod, shared pod treatment area, group training, real life room exterior outdoor dog play/training areas, fire access, outdoor dog walk paths. The dogs can be onsite for several months during their rehabilitation program. None of the dogs will be allowed to escape into the open space, as the entire complex will be fenced.

Ms. Collins said the dogs will arrive at the ASPCA Recovery and Rehabilitation Center after first being medically and behaviorally examined at the ASPCA Animal Hospital in Manhattan. Once they recover from the most severe medical conditions, they will be transferred to the center, where their behavioral and medical recovery will continue. The state-of-the-art facility will be designed, built, and maintained according to best practices to ensure both security and cleanliness for the animals and people. Behavior intervention is an important component to address hyperarousal, anxiety, and inappropriate behavior. Many of these dogs come from abused or cruel environments, never been outside, and will be introduced to the outside environment. Robust daily enrichment and exercise programs reduce stress and promote behavioral well-being that prevents ongoing bad behavior. Part of the shelter programs are to address sociology enrichment to intervene for successful future adoptions. The outdoor activities are an essential element of providing animal victims of cruelty and

neglect with an environment that returns a dog's physical and behavioral health. Without such activities, this program would not occur. All these factors assist the dogs in recovering. In North Carolina, a program addressing the dog's needs has been ongoing for two years, with tremendous success. The community in North Carolina had initial concerns. Subsequently, the facility has become a part of the community by people volunteering reaching successful rehabilitations for the dogs. No dogs are adopted directly from this facility.

Mr. Caris address mitigation measure for noise impact. They are proposing the animal noise was projected to the nearest residence to the south of the property, 37 Fenwood Drive. There is significant change in elevation around the ASPCA property and the residential properties, so the topography was analyzed as well. Based on the elevations, the existing conditions provide a natural barrier between the ASPCA facility and 41 Fenwood Drive. The estimated highest elevation of 700' is sufficient to block some noise from 37 Fenwood Drive, and the topography is expected to reduce noise levels at least 10db below maximum allowed levels. The levels are expected to approach inaudible sound most of the time based on ambient measurements. As the elevation decreases to the East, the natural barrier effect is reduced. Where the elevation changes to 690' there is about a 5-10db increase in predicted noise levels from the near training areas and the dog walks, respectively. While still below the maximum noise levels animal noise approaching ambient may result in inaudible barks. They noted that the calculations are still conservative using multiple animals barking at once at very high levels. It is very unlikely that most animal's noise is significantly lower.

Mrs. Katleen Oomsbbe said their review was completed for the project noise impact from the proposed ASPCA facility operations to the adjacent residential areas. We understand that animals will use outside areas. Since the residents located to the North and East have major roads between them and the proposed facility, they considered the southernmost residents to be the most sensitive to animal noise. By approximating the maximum noise levels that will be produced by animal noise at the facility, they completed an assessment to determine the extent of the mitigation required to achieve compliance pursuant to the Code of the Town of Pawling, "*Performance Standards*" ordinance. Outdoor activities with the dogs will be scheduled during regular hours of operations between 7:30 a.m. and 6:00 p.m. The outside activities will consist of three components, leash walks, playgroups, and individual dog pens. They are proposing the animal noise projected is towards the nearest residence to the south of the property, 37 Fenwood Drive. There is a significant change in elevation around the ASPCA property and the residential properties, so the topography was analyzed as well. Based on elevations, the existing conditions provide a natural barrier between the ASPCA facility and 41 Fenwood Drive. The estimated highest elevation of 700' is sufficient to block noise from 37 Fenwood Drive, and the topography is expected to reduce noise levels at least 10db below maximum allowed levels. The levels are expected to approach inaudible sound most of the time based on ambient measurements. As the elevation decreases to the East, the natural barrier effect is reduced. Where the elevation changes to 690', there is about a 5-10db increase in predicted noise levels from the near training areas and the dog walks. While still below the maximum noise levels, animal noise approaching ambient may result in inaudible barks. They noted that the calculations are still conservative, using multiple animals barking at once at very high levels. It is very unlikely that most animal noise is significantly lower. To provide further coverage, we recommended that a portion of the 690' elevation is provided with earth berms to raise the elevation to 700'. We estimate the additional elevation would minimize animal noise, approaching inaudibility. With the effective measures in place and consideration taken for time of day in which dog activities are to occur, the animal noise should comply with the noise ordinance stipulations in Section 2.0. It should not be objectionable to nearby neighbors.

Mr. O'Rourke said the ASPCA has incorporated all noise impact measures as recommended by the Ceramic Company into the Site Plan. As a use permitted by Special Permit as a Multi-Use Center, the property may be developed with a maximum building coverage of 30%. Thus, the sheer size of the property provides an enormous buffer for a structure occupying only 1% of the property, when considering the maximum coverage permitted on the property. The applicants have taken into consideration the recommendation of acoustical experts (Ceramic Company) to implement no undesirable noise impact change to the neighborhood. Additionally, 56% of property will be left as vegetated landscape.

Mr. Hesselback said the ASPCA appropriated significant consideration to place the building into grade/earth, along with creating the least impact to the neighborhood. The ASPCA plans on being in Pawling for a long time. The performance of the building along with visual aesthetic aspects of the architectural building is important to the ASPCA. They want the ASPCA to be an asset to the community.

Chairman Brehm opened the meeting to the Public.

Ms. Kristen Drensk 44 Fenwood Drive spoke. Mrs. Karen Drensk said she appreciates the access entrance coming off of NYS Route 55. The alternative entrance would have been in front of her residence and she thanked the ASPCA for developing the access drive off of Route 55. She wanted to note that during the time the well company was seeking landowners to perform monitoring on wells, she found a note under the mat of her front door by accident. Furthermore, she has concerns if a well went dry what is a landowner's future recourse. Several of her neighbors have had well problems. How it is handled if a landowner's well surrounding the ASPCA goes dry.

Mr. Liquori Esq., said the well testing is a function of approvals by the ASPCA Engineers working with outside agencies relevant to the overall project and Planning Board approvals. The applicant has submitted initial well testing reports.

Mr. Bolner said the applicants continues to with the Dutchess County Board of Health. At this time more data will be required for submission to the department prior to approvals.

Mr. Caris said an expert was retained to perform a 72 hour well exploration test. During the pump testing program, water-level measurements were collected from the pumping well. The pumping tests are to demonstrate stabilized yields and water levels, document water quality to meet NYS DOH drinking water standards for the proposed use of property. Several of the local wells were monitored. There was no discernable drawdown noted in these wells. The next step is to continue working with Dutchess County Board of Health on approvals.

Mr. Liquori said from the Planning Board aspect, is the applicant has advised the Board that they need to complete well and water supply approvals with Dutchess County Board of Health, outside agencies that have jurisdiction. That approval is a condition of the Site Plan approval, if the Planning Board chooses to approve the project. If there are preliminary indications that the ASPCA would harm adjoining wells, what would happen is further water analyzation takes place before additional financial cost is spent on design and approval aspects of the project, if the site cannot provide adequate water. This is a normal procedural process for both parties, Planning Board and applicant acquiring all outside agencies approvals.

Mrs. Diane Farese, 37 Fenwood drive spoke. Mrs. Farese asked at what point the Dutchess County Board of Health gets more involved.

Mr. Caris responded that the 72-hour testing program on the property well was designed and conducted in accordance with the New York State of Environmental Conservation pumping test

procedures for water withdrawal application and the New York State Department of Health Sanitary Code part 5, subpart 5-1, Appendix 5-D. The pumping test plans were submitted to Dutchess County Board of health for review and comment prior the completion of testing program.

Mrs. Farese said there is rock ledge in the area of the proposed building, is there any test performed to ensure safe rock removal from the site? Going one step further she has concern with problems occurring to her well, which is the closest well to the building site, by rock removal and heavy equipment used on site.

Mr. Caris responded that geotechnical engineers performed tests to develop the site. There will be using heavy machinery to move the earth around.

Mr. John Conti 8 Westwind Road spoke. Mr. Conti said he never received any paperwork offering a well test on his property. He asked several questions, how the water will be handled? How many employees will be hired? How many people will be allowed to visit the facility? How do the dogs get adopted out to families?

Chairman Brehm said the ASPCA will be hooked up to the Pawling Joint Sewer Commission municipal sewer system.

Mr. Hesselback responded that currently they are working on a plan to include up to 65 employees plus volunteers. The staffing ranges from veterinarians to clinical, animal technician, behavioral, office administration, employee staffing etc. The staff could be transferred from other ASPCA locations and/or hire new individual employees.

Ms. Collins said many of the dogs will be go back to their adoption center in New York State and there is a network of adoption centers that will take the dogs to place for adoption. Furthermore, there could be ASPCA personnel visitors may be coming to the site from time to time. The Pawling facility is not an adoption center, open to the public.

Mr. Conti asked where the dogs are coming from to be rehabilitated. He also wanted to know why no personnel would be onsite during the evening to oversee the dogs.

Ms. Collins said the ASPCA works in partnership with the New York City Police Department. The dogs come from neglected or abused environments and are brought to the facility for medical care and rehabilitation. The NYC ASPCA is not equipped to rehabilitate these dogs. Ms. Collins said it is critical to not have staffing at night. A natural awake and asleep time is to maintain consistency with the dogs, to allow lights out and for the dogs to sleep during the night.

Mr. Conti said what the background or ambient noise means relating to the noise impact study.

Ms. Oomsbke responded the background noise is additive. In order to understand how audible the dogs might be, the ambient noise at the property line needs to be established. If the ambient noise is loud, one might not hear a dog 100 to 200 feet away. If the background noise is lower, it changes how audible the dog's noise could be.

Mr. Conti asked if the proposed ASPCA is a non-for-profit organization, removing the property off the tax roll.

Mr. Hesselback responded, yes ASPCA is a non-for-profit.

Mr. Bob Sherlock 4 Fenwood Drive spoke. He said his main concern is the noise from barking dogs. Furthermore, the number of employees proposed this evening has decreased to 65. How many

of these employees will be local hires and how many will be relocated? volunteers? If the ASPCA is a non-for-profit, it would be beneficial for the community to offer employment to the local community.

Ms. Collins said at this time they do not have a number of employees that could relocate. The ASPCA does plan on hiring employee form the local community.

There were no more comments from the public.

Chairman Brehm said the Board will accept written comment and adjourned the Public Hearing until November 02, 2020.

JORGE MERCHAN

1249 NYS Route 22

Pawling, NY 12564

Grid Number: 134089-11-7058-631821

New Application/Amended Site Plan

Mr. Jorge Merchan landowner, Frank Smith Esq., from the Law offices of William Shilling, Joseph Zarecki P.E. from Zarecki & Associates were present.

Chairman Brehm said the property is located at 1240 Route 22 in the Highway Business Zoning District. The project site consists an existing 2,600 sq. ft. residence and a 2,500 sq. ft. detached garage. The parcel is 1.87+ acres. The applicant was granted site Plan and Special Use permit approval. The Special use permit had expired. A submission was made for an amended Site Plan, for a multi-use center auto sales, NYS Inspection station and Auto Repair.

Mr. Zarecki said the applicant proposes to amend the original Site Plan. Following Mr. Merchan using the property, it was determined a more user-friendly used car parking configuration works to move the cars around. The applicant seeks to conduct vehicle and traffic inspection on the site, repair automobiles unrelated to the used car sales and place a portable toilet on site. In addition, they are proposing four (4) new parking spaces for customer parking.

Chairman Brehm said the next step for the Board is to assign an Engineer to this application. The Board uses a rotation system for Engineers.

Motion by Dr. Bloom to assign CPL Architecture, Engineering, Planning Greg Bolner to Jorge Merchan Amended Site Plan and Special Use Permit.

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

Role Call:

Chairman Brehm aye

Corinne Pitt, aye.

Eric Paulson, aye.

William Vollmer, excused.

Dr. Bloom, aye.

Amie Rennolds, aye.

Aaron Cioppa, aye.

Mr. Smith Esq., first and foremost thanked the Board for the placing Mr. Merchan on the agenda. He wanted to say they are appreciative of the temporary certificate of occupancy issued by the Town Building Department. Mr. Smith Esq., said Mr. Merchan is no longer performing work outside of the original Special Use Permit has been halted. He asked if the applicant would be placed on the November 02, 2020 agenda, and if a meeting can be scheduled with Greg Bolner, Joseph Zarecki.

Chairman Brehm said a meeting can be scheduled with Greg Bolner, in the Planning office and the applicant can be placed on November 16, 2020 agenda.

NEW BUSINESS

Petition to Rezone in the matter of 89 Mt. Tom Road

Chairman Brehm updated the Board members on a recent Petition to Rezone 89 Mt. Tom Road that was submitted to the Town Board. The Town Board has referred the matter to the Planning Board to evaluate whether this would be a positive zone change for the Town of Pawling. He would like to set up a Planning Board subcommittee to perform preliminary evaluation that the rezone change complies with the Master Plan and impacts to analysis sewer, water, density, school, tax assessment, traffic, greenway connections. The Town of Pawling only has jurisdiction over Town land to analyze impacts for a rezoning request.

Mrs. Pitt and Mr. Cioppa volunteered to be on the committee.

In summary the Board discussed with Mr. Liquori Esq., rezone process specifics on two communities, SEQRA lead agency, and technical and statutory requirements that the Board must evaluate.

Motion by Dr. Bloom for Mr. Gainer to work directly with the Planning Board subcommittee on the Petition to Rezone in the matter of 89 Mt. Tom Road.

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

Role Call:

Chairman Brehm aye

William Vollmer, excused.

Amie Rennolds, aye.

Corinne Pitt, aye.

Dr. Bloom, aye.

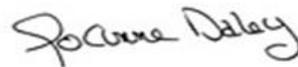
Aaron Cioppa, aye.

Eric Paulson, aye.

ADJOURNMENT

On a Motion by Ms. Rennolds and second by Mr. Paulson to adjourn the meeting at 9:25 p.m. All were in favor and the Motion carried.

Respectfully submitted



JoAnne Daley  
Recording Secretary

non - approved minutes