

PRESENT: Dr. Thomas Bloom, Vice Chairman, Corinne Pitt, William Vollmer, Aaron Cioppa, Mark Friedman, and Jay Erickson.

EXCUSED: George Brehm, Chairman

ALSO PRESENT: Greg Bolner P.E. from CPL Engineers, and Michael Liquori from Hogan and Rossi Law Firm

CONTENTS: The Meadows of Pawling (Time Extension), American Society for Prevention of Cruelty to Animals (Time Extension), Rafal Watola (Time Extension), Ryan Boniello (Concept Discussion), PTM AUTO SALES LLC (Site Plan and Special Use Permit) Verizon Wireless of East LP and Minutes.

Chairman Brehm is not in attendance this evening, Vice Chairman Dr. Bloom opened the meeting and then led the salute to the flag.

THE MEADOWS OF PAWLING

Administrative/Time Extension

West Dover Road
Pawling, NY 12564

Grid Numbers: 134089-7058-00-122061, 7057-00-094957, 6957-00-963899, 6957-00-932944, 6957-00-951942, 6957-00-964437, 6957-00-975930, 7057-00-018928, 71057-00-021882

Ms. Dawn McKenzie from the firm of Insite Engineering was present.

Vice Chairman Dr. Bloom said the property is located at West Dover Road. The proposed project consists of 41 residential lots, club house, and 2 utility lots for a total of 44 lot(s) in a clustered subdivision layout with access to the lots via a private road off of West Dover Road. Insite Engineering has requested a 180 day time extension beginning February 05, 2021 and ending on August 05, 2021.

Motion by Mrs. Pitt Mr. Vollmer to grant a 180 day time extension to The Meadows of Pawling for Final Subdivision approval beginning February 05, 2021 and ending August 05, 2021.

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

Role call:

George Brehm excused Mark Friedman, aye. Vice Chairman Dr. Bloom, aye.
Aaron Cioppa, aye. Corinne Pitt, aye. Jay Erickson, aye. William Vollmer, aye.

AMERICAN SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS

Administrative/Time Extension

Intersection of Route 22 and 55
Pawling, NY 12564

Grid Number: 134089-7056-00-257503
134089-7056-00-110487

Mr. James Caris AICP from JMC Planning Engineering, Landscape Architecture & Land Surveying PLLC, was present.

Vice Chairman Dr. Bloom said the parcel is located at the intersection of NYS Route 22 and 55 in the Mixed Business Industry "MBI" Zoning District. A letter from Rick O'Rourke Esq., representing

ASPCA was received, requesting with respect a time extension to the pending application for Site Plan approval beginning February 02, 2021 and ending on April 14, 2021.

Motion by Mr. Vollmer to grant ASPCA a time extension beginning February 02, 2021 to Aril 14, 2021.

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

Role call:

George Brehm aye. Mark Friedman, aye. Dr. Bloom, aye. Aaron Cioppa, aye.
Corinne Pitt, aye. Jay Erickson, aye. William Vollmer, aye.

RAFALA WATOLA

Administrative/Time Extension

Birch and Donovan Lane

Holmes, NY 12531

Grid Number: 134089-6755-12-927524

No one was present representing Rafal Watola.

Vice chairman Dr. Bloom said the property is located at Birch and Donovan Lane in an R-2 Zoning District. The applicant is before the Board for Preliminary and Final subdivision approval. A letter was received from GMF Architecture & Design, PC requesting a 180 day time extension beginning January 20, 2021 and ending July 20, 2021.

Motion by Mrs. Pitt to grant Rafal Watola a 180 time extension beginning January 20, 201 and ending July 20, 2021.

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

Role call:

George Brehm excused. Mark Friedman, aye. Vice Chairman Dr. Bloom, aye.
Aaron Cioppa, aye. Corinne Pitt, aye. Jay Erickson, aye. William Vollmer, aye.

RYAN BONIELLO

New Application/Concept Discussion

WilderHaus Campground

406 West Dover Road

Pawling, NY 12564

Grid Number: 134089-6956-00-927524

Mr. Ryan Boniello was present.

Vice Chairman Dr. Bloom said the property is located at 406 West Dover Road in an R- 3 Residential Zoning district.

Mr. Boniello made a presentation to the Board designed for a luxury campground consisting of nine (9) campsites. The individual campsites will contain one enclosed structure unit (10x 12 or 10x 15) on a wood platform. The units include one bed, shower, sink and toilet. It is a minimalist environment, with a modern design, using glass to combine outdoor and indoor living. The goal is to create structures that mesh into the existing environment by using natural materials and soft color tones. The integrations into the environment will not stop at the cabins. The intention is to keep the rural land environmental natural as possible, allowing the native vegetation to grow unhindered to increase privacy between cabins. The walking paths will be left unhindered along the sides with light illumination for safety and will have signs to guide everyone to their camping unit. He is seeking

clientele who pursue luxury accommodations vacationing in an urban outdoor life style. The location has rare attributes being both close to the Appalachians trail, as well as Metro North Train Station, making this an irresistible attractive weekend destination for metropolitan city dwellers. These customers will be inclined to visit the local restaurants, cafes, along with taking advantage of local hiking trails and the park. Mr. Boniello met with the Fire Marshal onsite. A discussion was held on the driveway profile grades for the entire access road. Mr. Gallagher provided information on the emergency access fire code for turnarounds, and the campsite distances from the road. He has had primarily discussion with the Dutchess County Board of Health on wells and septic systems.

Vice Chairman Dr. Bloom asked Mr. Boniello what are the hours of operation and are there any plans to offer camp fires at the individual sites.

Mr. Boniello said at this time, rental units would be for weekend only. The clientele he is seeking to attract are from metropolitan and down county areas that pursue luxury clamping, outdoor living and hiking on the weekends. At this time he is unsure if a camp fire pit would be part of the units. Some important aspects of the campground is the insurance liability question, which requires research before a final determination can be made on fire pits. Nonetheless, offering a fire pit enhances the clamping experience. He went on to explain the Appalachians Trail is opened from March through October, and that is his starting point for weekend rental.

Mrs. Pitt asked what's the maximum occupancy per camp site. If a family rents out a specific site location, would additional friends or family members be allowed to pitch a tent outside the campsite to visit with the campers renting individual units?

Mr. Boniello said the maximum occupancy is for a one (1) bedroom units, allowing for a maximum number of two people per campsite.

Vice Chairman Dr. Bloom asked what if the campers had children, increasing the maximum occupancy per camp unit.

Mr. Boniello responded that would affect the DCBOH approval for sanitary sewer disposal system per camp site. Additional children could change the classification of a one bedroom camping unit.

Mrs. Pitt asked what the proposed parking spaces per camping unit is.

Mr. Boniello responded that a parking lot is proposed on site. The individuals would park their car in the rural parking lot and then walk to their camp site. The goal is to create a rural camping experience. Ideally, two parking spaces per campsite, allowing for a total of 18 parking spaces for the clamping site.

Mrs. Pitt asked several questions, does Mr. Boniello have any expansion plans to increase the number of clamping units and where is the proposed location for garbage disposal?

Mr. Boniello said originally, he was considering additional clamping site units. He has performed marketing research to ensure this proposal would be successful. Based on his research, the preference is to begin on a smaller scale site plan. If the clamping grounds are successful, he would expand in the future. He has two locations proposed for garbage storage and pick up, as the site plan are further developed, he will add the dumpster location to the plans.

Mr. Vollmer asked if the barn would be turned into a community center for the campers. He also wanted to understand if the barn be used for the campers during inclement weather?

Mr. Boniello said the barn is in rough conditions, the barn is not salvageable and needs to be demolished.

Mr. Erickson said he is familiar with this site. He suggested Mr. Boniello use the reclaimed wood into the interior cabin designs, honoring the site's history. There is a lot of interest in leveraging natural

resources, eco-tourism and the Town of Pawling is a dedicated Appalachians Trail community. He is excited about this proposed project, as it creates eco-tourism for our community. .

Mr. Vollmer asked several question, how do individuals rent out sites, is this done through a website and how would the clamping grounds be monitored.

Mr. Boniello said the units would be rented out very similar to Airbnb rentals. The renters would be given information on how to enter the cabins, rules and regulation of the campgrounds. The campground would be fully automated with a door code. He would be available to assist all renters during their vacations.

Vice Chairman Dr. Bloom said some of the Board concerns is the health, safety and general welfare of campers staying onsite. These are details would be vetted during the Planning Board procedural process.

Mr. Liquori said the particulars of the site plans, SSDS, wells and NYS Building Codes would be worked out during the Planning Board Engineering process. Mr. Liquori explained to the Board members that this project falls under the Code of the Town of Pawling Camp, type 1.

Motion by Mrs. Pitt to grant concept approval to Ryan Boniello -WilderHaus Campground for a Camp Type , located at 406 West Dover Road.

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

Role call:

Chairman George Brehm excused. Vice Chairman Dr. Bloom, aye.

Aaron Cioppa, aye.

Mark Friedman, aye

Corinne Pitt, aye.

Jay Erickson, aye.

William Vollmer, aye.

PTM AUTO SALES LLC

Public Hearing/Site Plan/Special Use Permit

Jorge Merchan

1249 NYS Route 22

Pawling, NY 12564

Grid Number: 134089-11-7058-631821

Mr. Jorge Merchan Landowner, Joe Zarecki P.E. from the firm of Zarecki & Associates, Frank Smith Esq., from the Willing Schillings Law firm were present.

Vice Chairman Dr. Bloom said the property is located at 1249 NYS Route 22 in the Highway Business "HB" Zoning District. Vice Chairman Dr. Bloom opened the meeting for additional comments.

Mr. Robert Reilly, 10 Hurds Corner Road spoke. He stated over the weekend, he drove past the PTM Auto Sales LLC property, at which time he noticed numerous cars on the site, at least double the amount of cars allowed onsite. Mr. Reilly felt that PTM Auto Sales illustrates total disregard to the Town of Pawling approval process.

Vice Chairman Dr. Bloom said the proposed excessive number of cars onsite, does not fall under the Planning Board's jurisdiction. It is not the Planning Board's jurisdiction to police a site, Mr. Reilly is being referred to the Building Department to formally file a complaint to notify the Code Enforcement Officer of any violations. He asked Mr. Zarecki if he had a response to Mr. Reilly's statement.

Mr. Zarecki responded that he did not drive by PTM Auto Sales this weekend and could not make a comment as to the number of cars on site.

Mr. Mark Chipkin, President of the Hurds Corner Association spoke. In his opinion a majority of concerns by the Planning Board are the same concerns raised by the public. He said that previously Chairman Brehm pointed out that the garage was built without a building permit and certificate of occupancy. Furthermore, Mr. Artus concerns in earlier documents for the pre-existing garage, are stormwater runoff and the project is located within a wetland buffer. Based on this information can any stormwater infrastructure treatment be installed on the property? How does the business owner protect the site? Can an environmental study be performed for the parking lot and stormwater infrastructure mitigation? These conversations were held before the applicant asked for an auto repair shop. The decision made by the Board will set precedence in our community.

Mrs. Pitt questioned if the verbal portion of the public comment was closed.

Mrs. Daley read the minutes of January 04, 2021, which reads, Motion by Mrs. Pitt to close the verbal portion and keep the written portion of the Public Hearing open until January 19, 2021.

Mr. Liquori Esq, explained the Planning Board rules and regulations for Public Hearings. The Board does not answer the question raised by the public. These public comments are answered by the applicants engineer and Attorney in writing to the Board members. The Towns professional engineer reviews the site plans and gives guidance to the Board. At the close of the Public Hearing, the procedural steps for the Planning Board, is for the Board to provide direction to the applicants engineer and Attorney relating to the Public Hearing comments.

Mrs. Pitt asked why the request for a proposed use including general lite auto repair and inspection station were not included in the original site plan application.

Mr. Smith Esq, said first he would like to explain his client's proposal does not include auto repair painting and service center. There are specific terms that are related to the Code of the Town of Pawling. There will be no auto body repairs or painting, no aerosols, thinners used in this facility. Following the Planning Board's original Site Plan and Special Use Permit approvals, Mr. Merchan became a NYS Inspection station. The NYS Inspection law states Mr. Merchan cannot turn away a motorist from a NYS inspection. PTM Auto Sales business is by appointment only for lite auto repairs (oil change, tire rotation, windshield changes etc) and NYS Inspections. These services would only exclusively occur within the garage. There are several mitigation techniques for upgrading the garage floor, such as epoxy coating to prevent seepage. The concrete floor is 4 inch thick, and if an oil leak release occurred, the leak can be maintained in the garage. The average vehicle holds 6 to 8 quarts of oil. The mitigation measure would include garage epoxy coating, with oil catch pallets to hold the oil drums and the weather banding on the garage doors, all of these mitigation measures are to ensure prevention of leakage outside of the garage.

Mr. Smith explained how Mr. Zarecki and himself have gone over the project. Some items they offer the Board for mitigation techniques are as follows;

- Remove the outdoor car wash.
- Offer additional mitigation techniques measures to protect the environment.
- Mutual agree to a 45 time extension.

Mr. Liquori reviewed the code requirements with the Board on a mutual time extension.

Mr. Bolner began with the elimination of the car washing area as a positive step with environmental impact mitigation. Mr. Bolner reviewed the Special Use Permit regulations, noted in his comment letter. The Board has the ability to grant a SUP for a one year time period. At the end of the one year time period the Board has the ability to review any site complaints and usage of the property. The applicant needs to be well aware that the Planning Board could deny the SUP oppose to extending the SUP another year, if the applicant does not comply. These are all valid concerns raised by the Board. There continues to be valid concerns of vehicle leakage outside of the garage or

within the buffer area. The potential installation of an epoxy floor and oil catch pallets are beneficial to assist with a controlled closed environment. There would still need to be some mitigation offered that the vehicles parked outside of the building have no physical evidence they do not leak. The type of stormwater management facilities discussed are for installation within a paved parking lot. The fact that this is not a paved parking lot, creates more difficulty to collect the stormwater or installed oil/separators.

Mr. Cioppa said the stormwater drainage is located on NYS Route 22. In his opinion he thought the stormwater would have to flow over the parking lot to reach NYS Route 22 drainage system.

Mr. Bolner said further investigation on the directional flow of the stormwater drainage, needs to be reviewed. The drainage onto impervious surfaces would drain into the ground. Mr. Bolner would review the drainage system with Mr. Zarecki, before a determination could be made on a proposed stormwater management infrastructure installation.

Mrs. Pitt said she read the narrative from PTM Auto sales. This proposal is titled an auto repair shop and not an auto body shop.

The Board reviewed the code and code definitions of commercial garages, gasoline filling station and motor vehicle service.

Mr. Smith responded that these types of businesses are allowable in the Highway Business Zoning district, pursuant to the Code of the Town of Pawling. Mr. Smith Esq, said the applicant is willing to place a restriction to the weight limit for servicing vehicles and not allow commercial vehicles.

Vice Chairman Dr. Bloom said the Board's concern is contamination of soils on site or draining off site. There needs to be further investigation on mitigation measures to protect the environment.

Mr. Smith Esq., said the first item is to remove the outdoor car wash area, and include additional site inspection of the vehicles to be sold.

Mr. Zarecki said they are in receipt of the public comment letters. They take these comment letters seriously. As a result of the public comments the vehicles parking spaces within the buffer have been moved outside of the buffer zone. He would like to say all parking has been moved outside of the buffers. The applicant's business plan is to check and maintain the cars onsite. The services offered are by appointment only.

Vice Chairman Dr. Bloom asked if an office, waiting room and restroom are included on the site plan.

Mr. Zarecki responded that the applicant has an office waiting room and restroom. Due to the covid 19 pandemic, the Code Enforcement Officer has approved an outdoor porta potty for interim use. The cars to be repaired are by appointment only. The car owners will be dropping off the vehicles and not be waiting at the garage.

Vice Chairman Dr. Bloom asked if the Dutchess County Board of Health has reviewed the increase in use for this site.

Mr. Zarecki said they are working with the DCBOH.

Mr. Erickson asked if the New York State Department of Environmental Conservation has jurisdiction over this site.

Mr. Zarecki said a coordinator SEQRA review was conducted by the Planning Board. The NYSDEC comments have been submitted to the Board.

Mr. Erickson said we have an applicant with a SUP that is not conforming or playing by the rules of the approval. He asked what's the Board's obligation to grant new approvals based on serious facts of non-compliance.

Mr. Liquori said the first SUP had expired. The Planning Board received a new application for Site Plan and Special Use Permit. There is specific criteria that the Board can grant under the SUP and site plan. The Code does not address criteria for the Board to deal with non-compliance. It is understandable that the Board would have concerns that the applicant wouldn't respect a SUP approval.

Mr. Chipkin made a comment for the record. The Board is discussing a public repair shop, he always makes an appointment when needing to make a car repair. The fact that broken vehicles are being brought to this site, increases the potential of leaks or spillage being left outside. The new application has increased the number of vehicles under this site plan. He is unclear as to the potential of leaky cars fluids flowing into the local streams and watercourses. How can the Town allow a site plan without mitigation measures put in place? Additionally, how can the Town allow a porta potty? This is a new use of the property.

Mrs. Pitt asked Mr. Zarecki to review the landscape plan. Following a review of the landscape plan, the proposed shrubs and trees are limited in design. It would be in the best interest of the community to incorporate a landscape plan that is similar for the south and north gateways into our community. The current plan does not offer similar shrubs and bushes that could enhance the character of the property. The goal is to create a beautiful north community gateway. Mrs. Pitt revisited the reason why the applicant did not apply for an auto repair and inspection station during the original site plan and SUP approvals.

Mr. Smith Esq., said the original site plan allowed for used car sales. He understands the Board and neighbors have concerns relating to this potential project. It is beneficial for PTM Auto Sales to perform lite auto repairs on cars inspected onsite.

Vice Chairman Dr. Bloom suggested a sub-committee be set up to review the landscape plan with Mr. Zarecki. Mr. Erickson and Mrs. Pitt were assigned to the landscape committee for PTM Auto Sales.

Vice Chairman Dr. Bloom said the Board recommends the applicant consider alternative mitigation methods to prevent leakage of fluids into the local environment.

Mr. Erickson said he understands a paved parking lot is expensive. The applicant should consider a paved surface with oil separate to protect the environment, and address the Board's concerns.

Mrs. Pitt updated the public and Board members that the structure on Mr. Merchan/PTM Auto Sales property was permitted by the building department. In addition, a temporary Certificate of Occupancy was issued by the Code Enforcement Officer. It would seem logical that if a site plan was granted, a re-inspection would be warranted for a permanent certificate of occupancy.

Vice Chairman Dr. Bloom said the applicants are expected to respond to the Planning Board on the Public Hearing comments, along with a mutual time extension formal letter to be submitted to the Planning Board. He recommended a site inspection be scheduled for Mr. Erickson and Mr. Friedman as soon as the weather changes allowing for a visual inspection of the site.

Motion by Mrs. Pitt to closed PTM Auto Sales LLC Public Hearing this evening.

Second by Mr. Cioppa. Vice Chairman DR. Bloom asked for discussion.

Role Call

Vice Chairman Dr. Bloom aye. Corinne Pitt, aye. Chairman Brehm, excused

William Vollmer, aye.
Jay Erickson, aye.

Aaron Cioppa, aye.

Mark Friedman, abstained.

APPROVALS OF MINUTES:

Motion by Mrs. Pitt to approve the Minutes of January 04, 2021 as read.

Second by Vice Chairman Dr. Bloom. Vice Chairman Dr. Bloom asked for discussion.

Role Call

Vice Chairman DR. Bloom aye.

Aaron Cioppa aye.

Chairman Brehm excused

Mr. Erickson, abstain

Mr. Friedman, abstained.

Mr. Vollmer, aye

Mrs. Pitt, aye.

NEW BUSINESS

Verizon Wireless of East LP

NYS Route 292

Holmes NY 12531

Grid Number: 134089-6955-00-118540

New Application/Cell Tower Modification

Assign an Engineer

Mr. Hyde Clarke Esq., was present representing Verizon Wireless.

Vice Chairman Dr. Bloom said the Board is in receipt of an application for Verizon Wireless of the East LP d/b/a/ Verizon Wireless.

Mr. Clarke Esq., said Verizon Wireless is proposing to modify the cell tower, by replacing 12 antennas with a total of nine (9) in order to optimize the RF signal originating from the existing communication facility.

Vice Chairman Dr. Bloom said the structural analysis must be reviewed by an Engineer to confirm that the existing structure has adequate capacity to accommodate the proposed improvements. With that being said he is asking for a motion to refer Verizon Wireless application to the Planning Boards engineer. The Board rotation to assign an engineer for this projects goes to CPL, Mr. Greg Bolner.

Motion by Mr. Vollmer to refer the Verizon Wireless of East LP d/b/a Verizon Wireless to CPL, Mr. Greg Bolner.

Second by Mrs. Pitt. Vice Chairman DR. Bloom asked for discussion.

Role call

Vice Chairman Dr. Bloom, aye

William Vollmer, aye

Corinne Pitt, aye.

Jay Erickson, aye.

Aaron Cioppa, aye

Mark Friedman, aye

Chairman George Brehm, excused.

Motion by Mr. Erickson to grant Mr. Clark Esq., and Mr. Bolner to work directly on the Wireless project subject to;

The Board being kept informed on the project.

Second by Mr. Vollmer. Vice Chairman Dr. Bloom asked for discussion.

Role Call.

Vice Chairman Dr. Bloom, aye

Jay Erickson, aye,

Aaron Cioppa, aye

Chairman George Brehm excused. Corinne Pitt, aye
Mark Freidman, aye.

William Vollmer, aye

ii. Discussion on assigning a sub-committees to specific project

Vice Chairman Dr. Bloom said there has been discussion to assign sub-committees to specific projects. These individuals would take lead on the project, working directly with the applicant and their engineer. As the project moves through the process, the subcommittee will report to the Planning Board members.

Following discussion, the Board set up a sub-committee for the Ryan Boniello project. The committee members are Mr. Erickson, Mr. Vollmer and possibly Ms. Rennolds as an alternate.

iii. Discussion on assigning a sub-committee members to interview Laberge Group for Group engineering services.

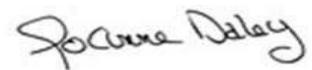
Vice Chairman Dr. Bloom said the Board has been contacted by the Laberge Group offering their Engineering service.

A subcommittee was assigned to interview Laberge Group consisting of Mr. Cioppa and Vice Chairman Dr. Bloom.

ADJOURNMENT

Motion by Mr. Vollmer and second by Mr. Cioppa to adjourn the meeting at 8:50p.m. All were in favor and the Motion carried.

Respectfully submitted



JoAnne Daley
Recording Secretary

non - approved minutes