

PRESENT: George Brehm Chairman, Dr. Thomas Bloom, Jay Erickson, Aaron Cioppa. Corinne Pitt and Dr. Thomas Bloom and Mark Friedman.

EXCUSED: William Vollmer

ALSO PRESENT: Ronald J. Gainer P.E. and Michael Liguori Esq., from Hogan & Rossi Law firm.

CONTENTS: Pawling Yoga and Wellness. (Signage), Divney Vargas (Environmental Permit) Hannaford Brothers (Site Plan application), Six Diamond Tree Service (Site Plan application), The Woods at Pawling, (Site Plan/Subdivision applications) and New Business.

PAWLING YOGA AND WELLNESS

Administrative/Signage Application

Lakeside Park (Teen Center)

P.O. Box 130

Pawling, NY 12564

Grid Number: 1340859-6957-830556

Mrs. Gabrielle Semel, owner of Pawling Yoga and Wellness was present.

Chairman Brehm said Pawling Yoga and Wellness is located at Lakeside Park in the teen center. The applicant has submitted a building sign application. The sign reads "*Pawling Yoga & Wellness*" on the first line, "*A not-for-profit Organization*" on line two, "*all levels classes*", on line three, "*flexible pricing*", on the fourth line. The email address ("*pawlingyogawellness.org*") below, with the logo on the left side of the sign. The colors are a white background with black type face lettering. The sign is four (4) feet x eight (8) feet, or 32 square feet.

Mrs. Semel explained Pawling Yoga & Wellness is a not-for-profit organization.

Dr. Bloom asked how does the business get funded?

Mrs. Semel responded that several individuals fund the not-for-profit, along with a sliding class fee scale based on the individual's finances.

Motion by Mr./ Cioppa to grant the sign application as presented on the August 27, 2021 application.

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

Chairman Brehm, aye, Dr. Bloom aye. Mr. Freidman, aye Mr. Erickson, abstained.

Mrs. Pitt, aye Mr. Vollmer, excused Mr. Cioppa, aye

DIVNEY VARGAS

Administrative/Environmental Permit

1078 NYS Route 292

Holmes NY 12531

Grid Number:134089-6856-14-324470

Chairman Brehm said the property is located at 1078 NYS Route 292, in a R-1 Zoning district. The proposal is to remove an existing dwelling, including foundation, to accommodate a new residence. The proposed residence will be of the same square footage with no increase in building coverage or impervious surface. In addition, the residence will remain classified as a one-bedroom dwelling over a partial basement/crawl space foundation with a storage loft. The existing septic system will remain in place to accommodate the new dwelling.

Motion by Mr. Freidman that the Board waives Chapter 111, Freshwater, Wetlands and Watercourse Protection; Sections as per 111-6 E(4)(c) (2, - 111-6.1, 111-6. A, and 111-6.C, public hearings, referrals to outside agencies and performance bond, and then refers this permit to the Storm Manager Officer subject to;

- Proof of insurance (for liability, disability and worker compensation), with the Town of Pawling shown as an additional certificate holder.
- Contractor training four (4) hour certified soil and erosion training certificate.

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

All were in favor and the Motion carried.

HANNAFORD BROTHERS

Further Discussion/Site Plan

Akindale Road

Pawling, NY 12564

Grid Number: 134089-7056-00-56115

Mr. Jay Lord P.E. from the firm of Maple Rock, Tyler Sterling, Manager from the Hannaford Brothers Corporate office and Ms. Brandee Nelson P.E. from the firm of Tighe & Bond were present.

Chairman Brehm said the property is located at Akindale Road in the Highway Business Zoning district.

Mrs. Nelsen presented to the Board members a document with suggested conditions for Site Plan approval and then an update on the status of outside agency approvals. The plans were revised based on comments by the Board on architectural characteristics and geometric layout. Furthermore, the landscape and lighting subcommittee made recommendations that are currently shown on the site plans.

The NYSDOT was contacted on four occasions beginning in March 2021 to date and Hannaford's Brothers have never received any comments. It is Hannaford's understanding that the proposed work will not require a permit, as no work is being proposed within the NYSDOT right of way. Hannaford Brother's opinion is that the Board should not consider NYSDOT approvals as a condition of the site plan approval. Several suggested conditions for the Board's Site Plan resolution are itemized in the document they submitted this evening -

1. The Applicant shall revise the Final Site Plan Drawings, consistent with the Town Engineer's letter dated, August 30, 2021
2. Provide the Town satisfactory evidence of approval from the following agencies:
 - a) New York City Department of Environmental Protection for the approval of the proposed subsurface sewage treatment system (SSTS) and SWPPP
 - b) New York State Department of Environmental Conservation – SPDES General Permit (GP-0-20-001) and Wastewater SPDES Permit for the on-site wastewater treatment and stormwater management system and a 401 Water Quality Certification for the federal wetland along Route-22 access drive
 - c) Dutchess County Department of Behavioral and Community Health – Water Supply Permit for the public water supply and review proposed SSTS
 - d) US Army Corps of Engineers acknowledgement of coverage under Nationwide Permit 39 for impacts to federal wetland along Route-22 access drive
3. Payment of the balance of outstanding escrow to the Town.

4. The Site Plan shall be subject to the following conditions:
 - a) Filing of an easement agreement between M&T Bank and Martins Foods of South Burlington for rights of access across the lands of M&T Bank from Route 22 to the westerly side of the site parcel prior to issuance of a building permit. *[Provided to Town on August 23, 2021]*
 - b) Execution and filing of a Stormwater Maintenance agreement with the town to assure the applicant's satisfactory maintenance of all stormwater measures installed for the project.

Mrs. Nelson continued by presenting the landscape plan. She requested a waiver for the reduction in the required minimum percentage of landscaping within the parking lot area from 15% down to 8.1%.

Chairman Brehm asked for Mrs. Nelson to request the waiver in writing to the Board, so, the Board may act on the waiver request.

Mrs. Nelson responded to Mr. Gainer's memorandum dated August 30, 2021 concerning the existing vegetation along the easterly property boundary. This will provide suitable screening for the propane tanks and easterly building wall in this area, so no new landscaping is proposed.

Mr. Friedman asked two questions - what are the propane tank sizes and would fencing be installed in front of the tanks?

Mrs. Nelson responded that currently, they do not have the actual number of propane tanks. The number of tanks will be determined once the building design plans are completed. They are not proposing any fencing in front of the tanks.

Mr. Erickson asked what are the proposed colors of the tanks?

Mrs. Nelson said that propane tanks normally are white. The current store's tanks are red or dark color. She explained how the screening heading west along Akindale Road towards the Route 22 intersection has a visual cut-off by natural vegetated plants and trees within the vicinity of the propane tanks. In addition to the natural screening, they are providing some additional landscaped screening by filling in with conifer trees. This will result in limiting the visual view of the propane tanks heading east.

Chairman Brehm raised a prior suggestion by the Board to provide a pedestrian path/sidewalk along the access drive out to Route 22. He asked if Hannaford Brothers added a reserved area for a sidewalk to the plans?

Mrs. Nelson said between the Castagna Commerce Park and the Hannaford Brothers sites there is a private landowner, making it difficult to logically connect a path to Castagna. She acknowledges the Board's concern. In the best interest of the community, the Town should establish a committee to develop a regional sidewalk/transportation plan for the Town. There is a concern to allow seniors to walk along a path through the woods between the sites. A more viable option is to construct sidewalks along NYS Route 22.

Mr. Erickson suggested the Planning Board engage Dutchess County Planning & Development to develop a regional sidewalk/transportation plan for the Town of Pawling.

Mr. Liguori Esq. explained the legislative procedures which are a part of the Town Board's authority. This is a function of the Town Board. There a number of strategic approaches on development of a sidewalk district. The overall concept is to initially create a district, map plan and report of the proposal.

The Board discussed a reservation area for a future sidewalk to eventually be included into a master transportation/sidewalk plan for the Town of Pawling.

Mr. Erickson suggested a sidewalk be installed from M & T Bank/The Atrium to Hannaford's Brothers building. It sounds like Hannaford's Brothers has a willingness to install a sidewalk. Nonetheless, there are difficulties around the rock outcroppings on Route 22.

Mrs. Nelson said normally there is limited usage between these sites, as people do not cross parking lots to shop. Moving forward, Mrs. Nelson would work with Mr. Gainer to develop a potential sidewalk reservation area on the Site Plan.

Chairman Brehm said the real issue is that people do walk from one shopping/banking store to another. The Board preference is for Hannaford Brothers to develop a few sidewalk reservation areas on the Site Plan. Chairman Brehm said the Planning Board seeks to have the applicant bond the site activities to assure that, once approved, the work commences in a professional manner and all final work/stabilization is performed and inspected. Mr. Gainer can work with Mrs. Nelson on the amount of the bond calculation for approval by the Planning Board and then referral to the Town Board.

Mr. Gainer asked for guidance as to what aspects of the site improvements would the Town want bonded - does it just concern site stabilization and erosion control measures to assure the site is restored to a neat condition and not the general site construction? Chairman Brehm said that the site stabilization measures should be included in the bond calculation.

Chairman Brehm placed Hannaford Brothers on the September 20, 2021 Planning Board agenda for Site Plan approval by resolution.

The Board discussed the bedrock-cut slopes visual impacts to the site, and felt the proposed building will generally screen this from view.

SIX DIAMONDS TREE SERVICE

118 NYS Route 22

Pawling, NY 12564

Grid Number: 134089-7055-00-503941

Further Discussion/Site Plan
Schedule Public Hearing

Mr. and Mrs. Manuel and Maria Quezada landowner, Mrs. Stephanie Fox, AIA, were present.

Chairman Brehm said the property is located at 118 NYS Route 22 in the Highway Business Zoning district.

Mrs. Fox updated the Board on the project referrals to the outside agencies.

The Board went over the sign application for the road and wall signage.

Mrs. Pitt said the current freestanding road sign post and structure looks in disrepair. It seems at this time it would be appropriate to replace the post and structure, as opposed to "repair".

Mrs. Fox said the applicant can replace the posts, if the board so chooses.

Following discussion, the Board agreed that the post and overall structure should be replaced to present new clean signage. The Board discussed different sign heights.

Mrs. Fox said the landscape subcommittee suggested native wildflowers and that one tree be planted near the road signage. The wildflower plantings could be affected by the sign height.

Mr. Erickson said the wildflower species should be estimated at a 3-foot growth height.

Mrs. Fox said a higher sign height allows a motorist to read the business logo driving at 45 MPH.

Chairman Brehm said if the sign height is higher than a driver leaving the site, the motorist can see oncoming traffic, by allowing the gap between the stone base and bottom of the sign.

Mrs. Fox said the key points discussed with the landscaping committee were the dead trees along the north property line being cleaned up. The front edge along Route 22 will include one tree with wildflower plantings and native plantings. The applicants are removing the fencing entering the building and then mimic the front edge of the property with native species of plants. The back-parking lot will include white pine plantings to block the view from the back-neighbor's property that is in disarray. Wildflowers will be added to the back and side of the property. The applicants did speak with the neighbors, asking them to clean up the fence adjacent to the front parking lot. Presently, the neighbors have not addressed maintenance of their fence. It is unreasonable to ask her clients to clean up a fence not on their property.

Mr. Erickson said the fence is an eyesore. Maybe a suggestion is to plant landscaping in front of the fence. In his opinion, a solution should be forthcoming.

The Board discussed referring the matter to the Code Enforcement Officer for property maintenance, pursuant to the Code of the Town of Pawling Section 105 Fences. The appropriate manner to deal with this situation is to refer to the proper enforcement authority.

Chairman Brehm said the Board can withhold further discussion on this point until they hear back from the Code Enforcement Officer.

Mrs. Fox said the applicant requested a waiver from the loading dock requirement, as this type of business does not have supplies being delivered and a loading dock will not be part of the Site Plan.

Chairman Brehm asked that a formal request be submitted to the Board and the Board can review said waiver at the next meeting.

Mrs. Fox said the last time the applicant appeared before the Board they requested to use the existing paved area in the rear, used as a former volleyball court, for storage of service vehicles during periods of inactivity. However, the storage of vehicles is no longer under consideration in order to avoid any adverse impacts to the existing sanitary disposal system in place and which will remain in service. As a result, the site improvements showing the latest plans are very similar to the development concept originally discussed with the Board.

Mr. Gainer suggested adding a Plat Note on the Site Plans that reads "no vehicular activity over the Sanitary Sewer Disposal System (SSDS) area", to make their intent clear.

The Board discussed placement of a reserved area for a future sidewalk be added to the Site Plan, as future discussion will occur to include a walkable transportation corridor.

Motion by Dr. Bloom to schedule a Public Hearing on September 20, 2021.

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

All were in favor and the Motion carried.

THE WOODS AT PAWLING

Castagna Drive

Pawling, NY 12564

Grid Number: 134089-7056-00-561152

Further Discussion/Site Plan/Subdivision

Mr. Jerry Schwalbe P.E. from the firm of Divney, Tung and Schwalbe, Mr. Rick O' Rourke Esq., from the firm of Keane and Beane, and Ken Kearney from Kearney Development Group were present.

Chairman Brehm said the property is located off of NYS Route 22, Castagna Commerce Park, Castagna Drive in the Planned Development District (PDD) Zoning District.

Mr. Kearney began by saying they heard the Board's comments loud and clear on the need to prevent seniors from walking along NYS Route 22. Since then, they felt a private wooded path through the woods to Akindale Road offers many challenges and a safety issue for seniors. Mr. Kearney agrees with the Board on a safe walking path for seniors. He has come up with alternatives, offering services to people living at these complexes. The first is a process they used during the pandemic such as home food deliveries. The food is delivered to the community room. The building supervisor receives the delivery and assists in breakdown and storage in an oversized refrigerator/freezer for tenant pick up. They can work with the local grocery store (Hannaford Brothers) to set up a home delivery service. Another option is the Pawling Resource Center. We have extended an offer to purchase a second van for the sole purpose of assisting seniors living in "The Hamlet of Pawling" and "The Woods of Pawling". One problem for the Pawling Resource center was a lack of drivers. Their goal is to actively solicit active senior volunteers from their complex as drivers. Furthermore, they have had discussion with Dutchess County loop bus to stop at the complex. A bus stop will be constructed for drop off and pick up. Currently this service does not exist. There are too many issues such as liability and seasonal weather for seniors walking along Route 22. They are engaged in coming up with solutions for their community/tenant's safety.

Mr. Erickson said he appreciates the attention to these matters by Mr. Kearney, It sounds like these measures will have a good effect on the community and increase mobility to these residents.

Chairman Brehm said Mr. Kearney is making it easier for these individuals and/or tenants to acquire services.

Mrs. Pitt asked whether a sidewalk area along Route 22 would be reserved on the Site Plan for future use by the residents?

Mr. Schwalbe said Castagna Commerce Park cannot reserve an area along Route 22 as this is on the NYS Department of Transportation property. In the past a larger plan for a walking corridor to the Village has been considered.

Chairman Brehm said the key item for consideration is for the Town of Pawling Town Board to set up a sidewalk/transportation subcommittee to develop an overall sidewalk district plan. Sidewalks are inevitable. A walking transportation corridor is forthcoming, it has to be planned accordingly.

Mrs. Pitt said following review of the site plan, she asked what are the setbacks along Cedar Lane and the eastern side of Akindale Road. What is the setback from the first building to the property line?

Mr. Schwalbe said the setback is 60 feet along the Akindale Road property lines. These are the approved setbacks for the Planned Development District PDD as noted in the Code of the Town of Pawling Code.

Mrs. Pitt asked what are the building heights?

Mr. Schwalbe responded the building height is 35 feet with the gabled roofs.

Mrs. Pitt said the proposed colors - are they uniform or staggered. As presented, the colors do not match the "Hamlet of Pawling" building façades.

Mr. Kearny said the buildings are two toned colors. The material to be installed is hardy plank, with a 30-year shingles.

Mrs. Pitt asked if the same contractor is used for all their developers.

Mr. Kearney said they use the same contractor and excavator for all their developments.

Mrs. Pitt said are the buildings 35 feet tall with the cupolas on top.

Mr. Kearney said the cupolas may go higher than 35 feet.

Mrs. Pitt asked what is the traffic flow pattern within the development?

Mr. Schwalbe explained the main entrance, two-way roads, two entrances into the proposed complex buildings and the internal traffic flow pattern. The "Woods of Pawling" layout design offers neighborhood walking paths, sufficient open space, and natural woodland buffers as well as high quality amenities for the residents, including a large common room for social events, on-site laundry facilities, a fitness room and interior bike storage. There is a connecting walking path, gazebo and small playground in front of each buildings "open space" area. Landscape plantings will include building foundation plants, shade trees, evergreen trees and flowering trees placed throughout the site. Existing natural buffers will be maintained along the north and east property lines. Water and sanitary services exist on the property. The existing water system is owned and operated by Castagna Realty, and was constructed with adequate capacity for the proposed project. New water mains will be extended from the adjacent water supply and treatment buildings to provide potable water for fire suppression. Sanitary sewer services will be connected to the onsite sewer mains, which were previous constructed to serve the senior housing project and allowed for future development. Approval to connect to the sewer system will be obtained from the Pawling Joint Sewer Commission. Stormwater measures to provide runoff and peak flow mitigation have been included on the plans

Chairman Brehm asked the Board if they are at a point to schedule a site inspection.

The Board scheduled a site inspection for Thursday September 23, 2021 at 5:00p.m.

The Board requested balloons be placed on 3 of the five buildings at the 35-foot building height.

A landscape committee was set up consisting of Mrs. Pitt and Mr. Erickson.

APPROVAL OF MINUTES:

The Board tabled discussion of the Minutes of August 16, 2021 to the September 20, 2021 Planning Board meeting.

NEW BUSINESS

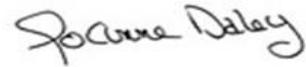
I. Discussion amongst the Board.

New business discussion was tabled until September 20, 2021 meeting.

ADJOURNMENT

On a Motion by Mr. Freidman and second by Mr. Erickson to adjourn the meeting at 9:30 p.m.
All were in favor and the motion carried.

Respectfully submitted

A handwritten signature in cursive script that reads "JoAnne Daley".

JoAnne Daley
Recording Secretary

non - approved minutes