

Supervisor David P. Kelly opened a Special Meeting of the Town Board of the Town of Pawling at 7:00 PM July 27, 2011 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Montemarano, Mayer and approximately 35 interested citizens. Councilman Upham was absent.

**JULY 27, 2011
SPECIAL
MEETING**

Supervisor Kelly stated this is a special meeting to conduct a public hearing on the Town's Comprehensive Plan Update. He introduced the Town's consultant Liz Axelson from Morris Associates, P.L.L.C.

**PUBLIC HEARING
ON
COMPREHENSIVE
PLAN UPDATE**

Ms. Axelson gave a presentation on the Comprehensive Plan Update and said there have been ongoing meetings with Supervisor Kelly and Councilman Mayer on the Comprehensive Plan Update. She gave an overview of the plan update and stated that the current update is based on the 1991 Comprehensive Plan, and includes basic studies and vision statements from the January 2010 Draft Comprehensive Plan. She has updated demographics from the recent census. A lot of previous planning efforts have gone into this update. They have tried to come up with a plan that is feasible for the Town to implement. They focused on land use, zoning and economic development strategies and resources of the community, such as open space, natural resources, trails and historic and cultural assets, which are all part of what makes this town a desirable place to live. She stated that uses have been added and the bulk regulations have been changed to allow for more flexibility. She said a second public hearing has been tentatively scheduled for August 31, 2011 which will be on the Comprehensive Plan Update, proposed zoning and Draft Generic Environmental Impact Statement (DGEIS). She has been discussing with Supervisor Kelly an extended public comment period.

Supervisor Kelly said the rules for the evening are to come up to the microphone, state name and address and a time limit of five minutes. Comments can be submitted to the Board in writing until the close of business on August 31, 2011.

Supervisor Kelly made a motion to open the public hearing on the Comprehensive Plan Update, seconded by Councilman Johnson, motion passed unanimously.

Stan Scherer, 10 Birch Hill Road, said he served for 18 months on the Comprehensive Plan Committee, along with fifteen other residents of the Town and Village of Pawling, which was a unique experience. He expressed concern about cluster zoning on Quaker Hill, referring to a development proposed some time ago called "The Farm Houses at Quaker Hill", which allowed 60 acres of open space and allowed ten houses on quarter acre lots on ten acres. He felt the view shed should be protected and felt scenic overlay districts should be created. He asked that the Town Board consider looking at changes in the zoning to protect the view shed on Quaker Hill.

Mark Chipkin, 60 Hurds Corner Road, and also the Pawling Nature Reserve Chairman, felt it was a gift to have the Appalachian Trail, which is a national park, in the Town of Pawling and felt the view sheds from the trail and the Pawling Nature Conservancy should be protected in Pawling. He said the people of Pawling deserve the view sheds to be protected. He felt there needed to be some kind of code in the Master Plan to protect the view sheds in Pawling.

Ross Daniels, Berry Lane, supported Mr. Chipkin's comments regarding protection of the view sheds along the Appalachian Trail and Pawling Nature Reserve. These are jewels and should be protected and kept the way they are. He also wanted to address the median priced housing in the Comprehensive Plan Update. He felt that the Affordable Housing portion of the Town Code needed to be updated and he wanted to see more about it in the Comprehensive Plan Update. The way it is worded now, it doesn't work well. He felt the median priced housing should be addressed in the Comprehensive Plan Update.

Chris Wood said he appreciated all of the efforts that have gone into the Comprehensive Plan Update. He was not a member of the Comprehensive Plan Update but did attend many of the meetings. He expressed concern about the section of the original document which dealt with goals and strategies. These were crisp and immediate and he disagreed with Ms. Axelson trying to make sense of them and it lost some of the immediacy of certain policies. That is likely to mean there would be an extended period where further investigation would be done to arrive at some more crisp determinations. He asked who would do that work. In terms of

implementation, who would do the investigation? Would there be an investigation committee? Would the investigation be done by members of the public and would it be brought before the Board? He also expressed concern about the implementation schedule, saying he felt it pushed a lot of important parts of this process out too far in the future. He felt an inventory of community resources needed to be done. He was in favor of expanding commercial development but felt the Town needed a wider view of what is economically viable in the Town of Pawling. He felt the zoning should be compatible with what the Town wants and what the Town can expect to attract. He felt the time line pushes many important issues too far and should be done concurrently. There is a lot of very good material in the report and a lot of the ideas are good ones and should be implemented.

Phil DeRosa thanked all who were involved with the Comprehensive Plan Update process. He wanted to talk about the transportation part of the document. There are three main roads in Town, Route 22, Route 55 and Route 292. He expressed concern that Route 292 is a pass through to I-84 and to call Route 292 a collector road is incorrect. There is a high rate of accidents on Route 292. This should be looked at. All of the transportation patterns and roads should be looked at. Regarding the bulk regulations, he felt that the sideline setbacks should be changed in the R-1 district on Whaley Lake so residents don't have to come for variances whenever they want to do something with their property. The lots in this area are only 50 feet wide and it is cumbersome to have people come in for a variance whenever they want to do something. He also suggested putting time limits on variances so if they are not acted on within a period of time, the variance becomes null and void.

Don Utter, 93 Harmony Road, suggested changing the zoning in the area of Harmony Road from R-4 to R-2 or R-3 to make it more affordable for young families to move in. He said young families can't afford to live here and are going to Connecticut.

Tracy Durkin, 113 Charles Colman Blvd., said it was an honor to serve on the Comprehensive Plan Committee and she thanked all who were involved. Her first comment was to suggest leaving the August 31st comment period open for a couple of weeks longer, particularly if there would another public hearing on that date. This would give people a chance to digest what they hear at the meeting and have follow up comments.

Richard O'Rourke, with the law firm of Keane & Beane, P.C., counsel to Castagna Realty Company said Mr. John Gutleber, president of Castagna Realty is here along with consulting engineer Gerald Schwalbe. They are happy to see the Master Plan is now being updated and applaud the efforts that have gone into this document. This is always a difficult process but the end result has been very good as far as the Master Plan is concerned. They do however have some very specific comments with respect to "Appendix C", which are the proposed zoning changes. The reason for those comments is in large part because of the time they spent before the Planning Board and their efforts to get site plan approval for various components of the Planned Development District which is located on the east side of Route 22. One of the issues they were very surprised at was the yard setbacks on commercial sites. He expressed concern about the proposed front setbacks in the business/industry zone which is 30 feet, as Route 22 is the entryway into Pawling and they felt there should be consistency in terms of setbacks for buildings on both sides of the road as the setback for the PDD zone currently is 150 feet. He felt these setbacks should be looked at very carefully. The setback for the proposed business/industry zone should not be 30 feet and should be consistent with what is on the other side of the corridor. The other thing that struck them was that a very essential component for the PDD and it was something that was sacrosanct was that there should be open space on commercial sites. They developed Brady Brook Falls and there was 100 acres of open space there and the PDD requires a considerable percentage of the property to be designated as open space. There is no similar requirement for the mixed business/industry proposed zone. In terms of consistency, they feel that is something that should be examined very carefully. Finally, in connection with the mixed business/industry proposed zone is the issue of mixed use. For many years, the PDD was held up to be a model to try and balance uses. Unfortunately, with the proposed mixed business/industry zone, there is no such balance and so consequently there isn't the mix of uses he thought was so important to the Town with respect to that corridor and again felt it was something that should be examined. With regard to building heights, he suggested a consideration of increasing building height in order to have more vertical and less horizontal development in order to encourage more open space. As

far as the expansion of uses in the mixed business/industry zone as proposed, in the PDD there are not as many uses available as are being proposed in the mixed business/industry. They suggest that there should be consistency with this zone in this area. His final point, which is extremely important, the big hold up as town officials know, has been sewer. Sewer services are part of the infrastructure and are absolutely essential to the development of this corridor. There is no two ways about it as there needs to be infrastructure to allow for development. One of the most important things here and the Board should consider this very carefully is that under SEQRA, the statutory and regulatory provisions require that long and short term projects be considered together. It doesn't matter what you state in terms of the uses if you don't have the infrastructure so consequently as part of this proposed action, since the town is proposed expansion of the uses, under SEQRA, the town cannot improperly segment the review of the infrastructure from the zoning implementation. This is something that needs to be considered very carefully and suggested that in the interest of implementation that the town do this together and do it at once as is contemplated under the statute. If the Town segments this, it may be risking an action that may be deemed illegal and also in the long run may take longer.

Peter Cris, president of the Pawling Chamber of Commerce applauded the committee that has studied the Comprehensive Plan and come up with the revisions as presented in the Draft. As president of the Chamber he would prefer not to make comments at this time on the draft, he would prefer to have a specific meeting to discuss the draft with the Executive Board and comment at a subsequent hearing. He would reserve comment until that time.

Thomas Casson from River Road asked if there would be any more industrial properties.

There were no further comments from the audience.

The motion to close the public hearing was made by Councilman Johnson, seconded by Supervisor Kelly, motion passed unanimously.

The motion to adjourn the meeting was made at 7:50 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk