

PRESENT: Vice Chairman, Dr. Thomas Bloom, Jay Erickson, Aaron Cioppa, Mark Friedman, Greg Bernard.

EXCUSED: George Brehm

ALSO PRESENT: Ronald J. Gainer P.E.

CONTENT: Getaway LLC. Special Use Permit, Glen Schwartz Special Use for an Accessory Apartment, Four Square LLC Site Plan, Joanne Miller Escrow release, Girl Scouts of America Camp Kaufman Restoration Bond.

Vice Chairman Dr. Bloom is acting Chairman this evening, as Chairman Brehm is not in attendance. Vice Chairman Dr. Bloom opened the meeting at 7:00p.m. and then led the salute to the flag.

GETAWAY LLC

996 Old Quaker Hill Road
Pawling, NY 12564

Grid Number: 134089-7158-00-994494

Public Hearing/Special Use Permit
Pre-Existing helipad/SUP 2022-004

Mr. Brian McGrath was representing Getaway LLC.

Vice Chairman Dr. Bloom said the property is located at 996 Old Quaker Hill Road. This application is for existing helipad which lies on the lands of Getaway LLC (d/b/a Quaker Valley farm) which was originally granted a Special Use Permit approval by the Planning Board in March 2002.

Mr. McGrath said the property on which the helipad sits encompasses 569 acres, and it's contiguous with other significant land holdings of Getaway LLC, although the helipad itself concerns an area of only 75 feet x 75 feet within the overall tract. At the time the original SUP was granted for an initial term of five years. It was necessary for the applicant to refile at the expiration of the term for consideration of a permanent SUP. However, this was never accomplished and it was only recently discovered that the SUP had lapsed. They're before the Board requesting a permanent SUP for the helipad. No complaints have been filed and the helipad can be used for emergency purposes by the Fire Department or EMT's.

Vice Chairman Dr. Bloom read the public notice and then opened the Public Hearing at 7:02p.m.

There were no comments by the audience.

Motion by Mr. Bernard to close the Public hearing at 7:03p.m.

Second by Mr. Jobe. Vice chairman Brehm asked for discussion.

All were in favor and the Motion carried.

Mr. Erickson read into the records Resolution # 15 of 2022 for Getaway LLC., Negative SEQRA Declaration located at 996 Old Quaker Hill Road (Copy in file). Grid Number: 1340897158-00-994494.

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

Role call:

Chairman George Brehm, excused. Jay Erickson, aye.

Gregory Bernard, aye Aaron Cioppa, aye.

Stephen Jobe, aye.
Dr. Bloom, aye.

Mark Friedman, aye.

Mr. Erickson read into the records Resolution #16 of 2022 for Getaway LLC. Site Plan and Special Use permit approvals located at 996 Old Quaker Hill Road (Copy in file). Grid Number: 134089-7158-00-994494.

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

Role call:

Chairman George Brehm, excused. Jay Erickson, aye.

Gregory Bernard, aye

Aaron Cioppa, aye.

Stephen Jobe, aye.

Mark Friedman, aye.

Dr. Bloom, aye.

GLENN SCHWARTZ

54 Burgess Road

Pawling, NY 12564

Grid Number: 134089-7156-00-514482

Public Hearing/Special Use Permit
Accessory Apartment

Mr. Glenn Schwartz, landowner was present.

Mr. Gregory Bernard recused himself from this application.

Vice Chairman Dr. Bloom said the property is located at 54 Burgess Road in a CD-5 Zoning District. The application is a request for an accessory apartment within a garage on this parcel.

Vice Chairman Dr. Bloom read the public notice and then opened the Public Hearing at 7:19p.m.

There were no comments by the audience.

Motion by Mr. Cioppa to close the Public Hearing at 7:20p.m.

Second by Mr. Friedman. Vice chairman Bloom asked for discussion.

All were in favor and the Motion carried.

Mr. Friedman read into the records Resolution #17 of 2022 for Glenn Schwartz Special Use Permit for an Accessory Apartment approvals located at 54 Burgess Road (Copy in file). Grid Number: 134089-7156-00-514482.

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

Role call:

Chairman George Brehm, excused. Jay Erickson, aye.

Gregory Bernard, aye

Aaron Cioppa, aye.

Stephen Jobe, aye.

Mark Friedman, aye.

Dr. Bloom, aye.

CHRIS JOHNSON

Four Space LLC.

158 NYS Route 22

Pawling, NY 12664

Grid Number: 134089-7056-00-552035

Further Discussion/Site Plan

Ms. Kelly Libolt was present from Karc Planning Consulting Inc.

Vice Chairman Dr. Bloom said the property is located at 158 Route 22 in the Highway Business "HB" Zoning district.

Ms. Libolt said they were before the Board two weeks ago, and then provided the modification to the plans as required by the Planning Board. Currently, they are having their environmentalist prepare a formal report.

Mr. Erickson said a letter was received from Ecologist Solution LLC. stating that the NYSDEC EAF mapper and IPaC listing were reviewed and there are no endangered or threatened species or wetlands on site. He wanted to clarify for the records that Ms. Libolt environmentalist submitted said report on June 24, 2022.

Vice Chairman Dr. Bloom said the Board can choose to hire their own independent ecologist to review the site for a full report, including documentation and recommendation that address; wetlands, ACOE, NYSDEC (and check zones), endangered species, critical habitat, tree survey-trees 8" diameter or larger, and locate species for retention/preservation. If the applicant submits a full report by her consultant and the Board finds the report insufficient, the Board shall hire a independent consultant in the near future. There have been many past projects where the Board has hired independent consultants.

Ms. Libolt responded that she has done this for 30 years. They hired their own consultant and have never dealt with a Board seeking to hire an independent consultant. She asked if there was a consultant on retainer for the Town? She does not want to have an agreement with the Town and feels every time she comes here she is on the defense. Vice Dr. Bloom said the Board will review the latest engineering memorandum this evening. The Board is not holding up the process, we are following the Code of the Town of Pawling.

Ms. Libolt said she wants to figure out what the Town would like to advance this application. She is not suggesting that the Board is holding up the process. She does not want to have an argument every time she comes before the Board. What she is saying they paid a large amount of money for their consultant and now the Board wants to hire an independent consultant.

Vice Chairman Dr. Bloom said the applicant can submit their consultant's report. If the Planning Board's consultant reviews the data and feels an independent consultant review is necessary, then the Board can move forward at a future meeting to hire a environmental consultant.

Mr. Erickson said the ecologist Michael Nowicki does not provide any data that backs up what Ms. Libolt has presented. He asked Mr. Koziol if that is the impence for recommending his expertise on hiring an independent consultant is based on no data submitted by Mr. Nowicki. Mr. Koziol said it is not unusual for a Board to hire their own independent consultants. Mr. Kaziol is advising the Board to hire an independent consultant. Mr. Kaziol researched and used the same data sources as presented in the applicant's letters. The data he researched came back with additional information, and that was what was submitted to the Board. Mr. Kaziol made the recommendation to hire an independent consultant in their first memorandum. Ms. Libolt said comments from Mr. Kaziol's memorandum are acceptable. The only comment for discussion is the access onto Akindale Road for truck maneuvering. The Board's engineer is recommending a traffic study.

Vice Chairman Dr. Bloom said the traffic study has to be coordinated with Hannaford Brothers trucks using the same road's access/egress. The volume of truck traffic will increase.

Therefore, coordination of how these large vehicles will maneuver on and off site are important based on safety.

Ms. Libolt responded this is the same egress/access that Hannaford Brothers has used for years. In Ms. Libolt's opinion the trucks/trailer will only increase by two per day.

Mr. Kaziol said a tractor trailer driver does not have good sight distance existing the back of Hannaford's accessway. Looking to the right is a safety concern, resulting in a safety condition for oncoming traffic. If the egress/access is currently properly functioning, this current situation does not represent future conditions. The traffic study can be done completely independently, or they can work with Hannaford's Brothers. It would not hurt to work with Hannaford's Brothers.

Mr. Bernard said the Hannaford's tractor trailers pull into the site and then turn around where the applicant seeks to park their tractor trailers. If the site turn-around changes, Hannaford Brothers trucks will have to back in off of Akindale road in the future.

Mr. Freidman clarified that a cross easement and parking agreement exist for both property owners.

Mr. Kaziol said there is a formal a legal agreement with Hannaford's Brothers. He continued discussing the significant amount of information that is required to be submitted for the Planning Board to act on.

Mr. Libolt said Zarecki & Associates surveyed the site, illustrating the CMP pipe. They have expressed concerned over the maintenance of the stormwater drains. These areas need to be cleared. They have expressed to the Town maintenances needs to be done. Vice Chairman Dr. Bloom said the next step is for the Board to set up a landscape subcommittee. The members of subcommittee are, Jay Erickson, Gregory Bernard and Stephen Jobe.

Mr. Liguori explained the function of the subcommittee. As opposed to having seven different opinions on the landscape plans, a committee works with the applicant, then makes their recommendations to the Board for discussion and approval.

Ms. Libolt explained the utilities and stormwater infrastructure has not been maintained on the property. They seek to brush hog to remove the scrub brush and remove significant trees on top of the utilities. They applied for a Timber Harvesting permit and seek to move forward with maintaining the property.

Mr. Kaziol said since the applicant is seeking a Site Plan approval, the Timber Harvesting application can be rescinded.

Mr. Liguori said under SEQRA the Timber Harvesting permit could not be processed, based on the fact that the applicant is seeking Site Plan approval. This is considered segmentation pursuant to New York State Laws/SEQRA.

Ms. Libolt said the premise was to clear the land to access the stormwater maintenance areas.

Mr. Erickson said during their site inspection, with full undergrowth he could walk to the stormwater detention pond. These are two different items for consideration relating to the stormwater detention pond. One is to access the stormwater infrastructure and the other is a long-term maintenance plan.

Vice Chairman Dr. Bloom asked Ms. Libolt if she agreed with rescinding the Timber Harvesting permit. Clearing the brush will be part of the items discussed with the landscape subcommittee.

Ms. Libolt responded yes, she agrees to rescinding the Timber harvesting permit. What she feels is that this argument on whether or not the applicant requires a Timber Harvesting permit or not to continue with said approval.

Mr. Erickson said the landscape subcommittee duties are not to evaluate the stormwater infrastructure or SWPPP. The committee elevates the aesthesis impact of site, including the landscape (trees, shrubs etc.), viewshed to the west. The stormwater is a separate issue. During the site inspection there was no standing water in the detention pond. Furthermore, it is a separate issue relating to trees growing over the sanitary sewer disposal system (SSDS).

Motion by Mr. Friedman that the Four-Square LLC-158 Route 22 works directly with the Planning Board landscape committee.

Second by Mr. Cioppa. Vice Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

Motion by Vice Dr. Bloom that the Planning Board acknowledges and acts upon the required items noted in the Laberge Group Four-Square LLC. memorandum dated July 14, 2022 items A thru H.

Second by Mr. Friedman. Vice Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

Motion by Mr. Friedman that the applicant submits \$7,500.00 for the cost of the independent study to be performed by North Country Ecological Services Inc.

Second by Mr. Bernard. Vice Dr. Bloom asked for discussion.

Ms. Libolt asked if there were any firms closer than Northeast Ecological LLC.

Mr. Erickson said Ms. Libolt's ecologist is not from the local area. He is from Vermont. Mr. Kaziol said Northeast Ecological LLC travels all over New York State. Regardless of the report, he recommends the Board get an independent consultant.

Ms. Libolt said she objects to getting another report.

Mr. Erickson asked if the all the trees 8 inches or greater were mapped?

Ms. Libolt said she personally walked the site and mapped only trees 8 inches or greater to be removed.

Mr. Erickson clarified for the record, he had asked, were all the 8 inches or greater marked?

Ms. Libolt responded no.

Mr. Erickson responded there is a difference that only the trees to be removed were marked and not all the trees 8 inches or greater were marked. The applicant will not be paying for work twice, as there is work to be completed was not accomplished, as per the Code of the Town of Pawling.

All were in favor and the Motion carried.

JOANNE MILLER

1 Sage Road

Pawling, NY 1264

Grid Number: 134089-6957-03-307314

Administrative/Escrow Release

Vice Chairman Dr. Bloom said the property is located at 1 Sage Road. The applicants have withdrawn their Special Use Permit for an Accessory Apartment and have requested the remaining escrow balance in the amount of \$1,268.14 be released.

Motion by Mr. Bernard that the Planning Board recommend to the Town Board release of Joanne Miller escrow in the amount of \$1,268.14.

Second by Mr. Friedman. Vice Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

NEW BUSINESS

GIRL SCOUTS OF GREAT NEW YORK

Restoration Bond/Site Plan

Vice Chairman Dr. Bloom said a letter was received from Insite Engineering/Girl Scouts of Greater New York -Camp Kaufman requesting the Planning Board accept the Restoration Bond estimate in the amount of \$88,000.00.

Motion by Mr. Erickson that the Planning Board recommends to the Town Board to accept the Restoration Bond in the amount of \$88,000.00 for the Girl Scout of Greater New York -Camp Kaufman.

Second by Mr. Cioppa. Vice Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

ADJOURNMENT

On a Motion by Mr. Erickson and seconded by Mr. Jobe to adjourn the meeting at 8:05 p.m. All were in favor and the Motion carried.

Respectfully submitted,



JoAnne Daley
Recording Secretary

non-approved minutes