

PRESENT: Chairman George Brehm, Dr, Thomas Bloom, Corinne Pitt, Amie Rennolds, Aaron Cioppa, Eric Paulson and William Vollmer

ALSO PRESENT: Ron Gainer P.E.

CONTENTS: The Meadow of Pawling (41 Lot(s) Subdivision) Time Extension, The Estate of Marten Muller and Peter Muller (Time Extension) John Nilsen (Site Plan) and Minutes.

Chairman Brehm opened the meeting at 7:00p.m. and then led the salute to the flag.

THE MEADOWS OF PAWLING

Time Extension/41 Lot's Subdivision

West Dover Road

Pawling, NY 125644

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.

Chairman Brehm 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 August 05, 2020 and extending to February 05, 2021.

Motion by Mr. Vollmer to grant a 180 day time extension to The Meadows of Pawling for Final Subdivision approval beginning August 05, 2020 and ending February 05, 2021.

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

All were in favor and the Motion carried.

THE ESTATE OF MARTEN MULLER AND PETER MULLER Time Extension/2 Lot's Subdivision

Old Quaker Hill Road

Pawling, NY 12564

Grid Number: 134089-7157-00-311429

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

Chairman Brehm said the property is located Old Quaker Hill Road in a CD-5 Zoning district. The development proposal is for a 2 lot(s) subdivision. Insite Engineering has requested a 180 day time extension beginning July 21, 2020 and ending on January 21, 2021.

Motion by Mr. Vollmer to grant a 180 day time extension to The Estate of Marten Muller and Peter Muller for Final Subdivision approval beginning July 21, 2020 and ending January 21, 2021.

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

All were in favor and the Motion carried.

JOHN NILSEN

374 NYS Route 292

Holmes, NY 12531

Grid Numbers: 134089-6855-02-777823

134089-6855-02-779813

New Application/Site Plan/Lot Line Adjustment

Chairman Brehm recused himself from discussion due to a conflict of interest. Mrs. Corinne Pitt is acting Vice Chairman for the Nilsen application this evening.

Mrs. Pitt said the property is located at 374 NYS Route 292 in the Hamlet "HA" Zoning district. This development proposal involves 3 adjacent lots along the east side of NYS Route 292.

Mr. John Nilsen explained the family recently purchased the two lots, 779813 vacant lot adjacent to his "private commercial garage" and the southernmost lot 782800 developed with a single family residential structure and detached garage. The residential structure is a rental property. The family purchase of these parcels created the intentions for private commercial garage expansion, as their business has grown. The business requires additional space for equipment and materials storage. The center lot of the three existing parcels, which is vacant, is proposed to be extinguished, with the area of this lot being transferred to the adjacent parcels.

Vice Chairman Pitt said the Zoning Board of Appeals granted an expansion of use Variance on May 26, 2020, to permit the merger of an unbuildable lot with an existing lot containing a pre-existing non-conforming use consisting of equipment and storage material. The Board is in receipt of the Site Plans and Mr. Gainers memorandum dated July 30, 2020.

Mr. Gainer went over the technical and statutory items on the application status with the Board members. The project consists of two applications, Lot Line adjustment and Site Plan that can be concurrently processed at the same time. There are no site improvements proposed on the residential lot. There are improvements being proposed on the commercial lot.

- The existing slope behind the building will be cut back to provide a 40-foot flat area behind the building, to support the contractor's operation.
- Bins for the storage of construction materials and construction equipment parts are to the rear of the building (in the area where the existing slope will be re-contoured), and will also be to the south of the building adjacent to the residential lot.
- The ground surface within the areas to the east and south of the building will be improved with item 4, to support the contractor's activities.
- An existing fuel storage tank in the rear of the property will be relocated, and placed within concrete containment vessel. Additionally, a second fuel tank will be provided within the vessel. A short environmental assessment form has been filed by the applicant. It is recognized that current NYS SEQRA regulations specify lot line adjustments are classified as Type II actions which are not subject to any environmental review. For Unlisted actions procedurally the Board has the discretion whether or not to conduct a coordinated review environmental review. The Board could choose to schedule a site inspection, and following that inspection the Board can discuss if they choose to perform a coordinated review.
- Current access to the site is uncontrolled, as no curbing or formal driveway entrance exists along the property frontage. It is recognized that in 2016 the NYS DOT issued a Highway

Work Permit for reconstruction of the driveway access to the site. As it is uncertain whether the mandated improvements were ever completed, it is recommended that a copy of the D-1 plan sheet on which the permit was issued be provided, for the Board review and permanent records.

- As part of the Planning Board's review of the application, the project requires referrals.
- Dutchess County Department of Planning and Development.
- Dutchess County Department of Behavior Health.
- Town Fire marshal.
- New York State Department of Transportation.

Mr. John Nilsen responded that the New York State Department of Transportation documents were provided to Mr. Karrel today for submission to the Board. This application contains no revisions or proposals relative to the septic system or wells on these properties. The septic system and well on the house are pre-existing as approved by Dutchess County Health Department. The well and holding tank on the garage property were approved February 09, 2011 by Dutchess County Health Department. A copy of these approvals will be submitted for the Board's records.

Mr. Vollmer asked what is the distance between the rocks removed from the rear slope and proposed existing rock limit of disturbance area.

Mr. John Nilsen responded they plan on removing an additional 15 feet of ledge, totaling a cut back of a 40 foot flat area to be created behind the building. Terraced retaining walls are proposed in the rear. Since, they were asked to stop working on the ledge, the slope has been stabilized.

Mr. Vollmer asked for clarification what the rear wall elevation is. He asked if the total elevation is at 50 feet. The site plan does not illustrate the finished design of the rock wall, therefore, it is difficult to understand the rock wall appearance. It is hard to picture the rock wall design at this time.

Mr. John Nilsen responded that 50 feet is not correct for the rear wall.

Mr. Cioppa suggested the Planning Board schedule a site inspection with both engineers, to understand the rock wall height and construction and ultimately the final design.

Vice Chairman Pitt clarified on the site plan the placement of two fuel tanks. She asked if one was pre-existing on site and the second is planned to be installed.

Mr. Nilsen said currently no fuel tanks are onsite, they are proposing to installed two 300 gallon diesel fuel tanks in a containment vessel.

Mr. Vollmer said the 2016 Site Plan allowed for inside vehicle parking.

Mr. John Nilsen said per Site Plan approval, the vehicles were to be parked inside with 1 commercial vehicle parked outside.

Vice Chairman Mrs. Pitt asked how tall the retaining wall is.

Mr. John Nilsen responded the retaining wall is 5 ½ feet tall with a sloped back embankment.

Mr. Gainer explained the retaining wall is not a formal wall, the cutting back is 40 feet into the embankment creating terraced layers.

Vice Chairman Mrs. Pitt said the property located behind the parcels is owned by the Girl Scouts. She asked if the Girl Scouts use these areas for any type of activities?

Mr. Daniel Nilsen responded it is understood that the nearest distance for rope course is over 1000 feet away. He can speak with the Girl Scouts personnel to confirm no activities are performed behind their parcels.

Mr. Gainer asked if there are any walking trails behind the Nilsen parcel are used by the Girl Scouts.

Mr. Daniel Nilsen responded, no walking trails are located behind their parcels.

Vice Chairman Mrs. Pitt asked what type of material is used to install the aggregate storage bins.

Mr. John Nilsen said the aggregate bins are constructed out of masonry blocks 2 x2 18 feet long. It is a common method of storing material to contain the different types of material (Item #4, gravel, topsoil) used on jobsites.

Vice Chairman Pitt asked if mechanical hoop covers are used for the aggregate bins.

Mr. Daniel Nilsen said they plan on using the mechanical fabric hoop covers on the bins located at the rear of the property.

Mr. Gainer asked what the mechanical fabric hoop covers intentions for coverage is.

Mr. John Nilsen said during inclement weather or winter months the storage material would be under the mechanical fabric hoop covers for protection of equipment.

Vice Chairman Mrs. Pitt asked what potential noise levels are generated onsite.

Mr. John Nilsen said the crew arrives at 7:30a.m. and they load up and leave the site by 8:00a.m. The private garage is their business storage facility, they are not working onsite.

Mr. Daniel Nilsen said the facility is a staging area. They arrive onsite by 7:30a.m. and leave by 8:00 to job sites and then return around 4:00p.m. dropping off equipment and the crew goes home for the day. There is no business intended to be generated out of the property.

Mr. Vollmer asked if the large stones removed from the sloped area will be crushed as item #4 to be used to construct a driveway that transverses around the entire building.

Mr. John Nilsen responded that is correct, their intention is to crush the rock onsite for the driveway construction.

Vice Chairman Pitt asked what is the proposed excavation plan for removal of soil to create the back retaining wall.

Mr. Daniel Nilsen said the material will be hauled off site to be used on job sites as needed.

Vice Chairman Mrs. Pitt asked where is the primary access located on site? The plans do not illustrate the current or future access location from NYS Route 292.

Mr. John Nilsen explained the NYSDOT approved the driveway access in 2016, he will provide the Board a copy of the approvals. The driveway access will not change.

Mr. Paulson asked how much crushed stone would be processed onsite and what the hours of operation are for noise relating to grinding stones. .

Mr. Gainer said the Board should make that determination during their onsite site inspection, based on the Code of the Town of Pawling Performance Standards.

Ms. Rennolds asked is the immediate neighbors to the South of the property, family members.

Mr. John Nilsen said the residential property (782800) was purchased in March 2020. It a rental property owned by the Nilsen family. The residential property is currently rented. The neighbors to the

north, Booth family, they have an open dialog maintaining a open good neighbor relationship. Our goal is to ensure the neighbor remains happy.

Vice Chairman Mrs. Pitt said the next step for the Planning Board is to schedule a site inspection.

Following conversation, the Board scheduled a site inspection for Tuesday August 11, 2020 at 5:30p.m.

Motion by Mr. Cioppa as part of the Planning Board's review to make the necessary referrals to outside agencies circulations as follows;

- Dutchess County Department of Planning and Development.
- Dutchess County Department of Behavior Health.
- Town Fire marshal.
- New York State Department of Transportation.

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

All were in favor and the Motion carried.

Vice Chairman Mrs. Pitt asked Mr. Liquori Esq., .his recommendation on the SEQRA review by the Board.

Mr. Liquori Esq. responded the Zoning Board of Appeals granted a "Use Variance" on May 26, 2020 where an uncoordinated environmental review was completed "Type II" unlisted action. If the Board so chooses, it would be appropriate for the Planning Board to consent to an uncoordinated environmental review, based on the outcome of the site inspection. Additionally the "Public Hearing" could possibly be scheduled following the site inspection for September.

APPROVAL OF MINUTES:

Motion by Mr. Cioppa to approve the Minutes of July 06, 2020 as read.

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

All were in favor and the Motion carried.

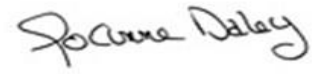
NEW BUSINESS

The Board discussed how violations are determined following review of a Site Plans.

ADJOURNMENT

On a Motion by Ms. Rennolds and second by Dr. Bloom to adjourn the meeting at 8:15 p.m. All were in favor and the Motion carried.

Respectfully submitted

A handwritten signature in black ink that reads "JoAnne Daley". The signature is written in a cursive style with a large initial "J" and "D".

JoAnne Daley
Recording Secretary

non - approved minutes