

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

ALSO PRESENT: Ronald J. Gainer P.E. Greg Bolner from CPL Engineering.

CONTENTS: John Nilsen (Site Plan) Anna Casson Lindstrom and Ruth Williams (Lot Line Adjustment), American Society For Prevention Of Cruelty To Animals (Site Plan), White Oak Farm (Environmental Permit Chapter 111), White Oak Farm (Environmental Permit-Chapter 187).

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

JOHN NILSEN

Public Hearing /Site Plan/Lot Line Adjustment

374 NYS Route 292

Holmes, NY 12531

Grid Numbers: 134089-6855-00-777823

134089-6855-00-779813

Mr. John Nilsen, landowner and Mr. John Karell P.E. were present.

Chairman Brehm recused himself from this application, due to a conflict of interest. Mrs. Pitt will be Acting Vice Chair for Mr. Nilsen Site Plan application.

Acting Vice Chair Mrs. Pitt said the property is located at 374 NYS Route 292 in the Hamlet Zoning District. The Nilsen application involves both a request for a Lot Line Adjustment between 3 adjacent parcels along Route 292 in Holmes, and Amended Site Plan approval for their excavating business on the expanded site that will be created. The project first appeared before the Planning Board this past July. Subsequently, a site inspection was conducted by the Board on August 12, 2020.

The Board has previously made referrals to the following agencies.

- Dutchess County Department of Planning – The Dept responded by letter dated August 21, 2020 and have advised that it is a matter of local concern.
- NYS DOT Region 8 local permitting office (Ludingtonville Road office in Holmes) – The Board's Engineer, Mr. Gainer spoke with the local DOT representative this afternoon, who advised that they had reviewed the latest plans and didn't feel that any new permitting was required, as no work is proposed with the NYS right-of-way. As a result, no formal response will be issued to the Planning Board.
- Town Fire Marshal

Mr. Karell presented the illustrated site plans, of the three (3) lots merged into two (2) lots. The building lies approximately 40 feet back from the edge of Route 292, and 40 feet off the side property line with Booth residential parcel. There is a flat area at the rear of the building 15 to 20 feet wide to provide access around the building. The property slopes upward to the rear property line of the Girl Scouts property. On the private garage site there are areas designated for storage bins for various materials (DOT item #4, stone, etc.). The residential lot contains a pre-existing house, well and septic system.

Acting Vice Chair Ms. Pitt said a Public Hearing will be conducted this evening. Acting Vice Chairman Mrs. Pitt read the Public Notice and opened the Public Hearing via zoom teleconferencing at 7:05p.m.

There were no comments from the Public.

Vice Chairman Pitt asked the Board members for a Motion to close the Public Hearing.

Motion by Mr. Vollmer to close the Public Hearing at 7:08p.m.

Second by Mrs. Rennolds. Acting Vice Chair Ms. Pitt asked for discussion.

Role call:

Chairman Brehm recused.	William Vollmer, aye.	Amie Rennolds, aye.
Corinne Pitt, aye.	Dr. Bloom, aye.	Aaron Cioppa, aye.
Eric Paulson, aye.		

Acting Vice Chair Mrs. Pitt advised the Board that Mr. Gainer has met with the applicant's Engineer to review all technical issues that had to be addressed. Furthermore, Mr. Karell dropped off formal revisions relating to the response and plans from comments offered by the Board at the site inspection conducted on August 11, 2020. Since neither the Planning Board nor the public had any further concerns raised this evening, she asks the Board to direct Mr. Gainer to prepare a SEQRA declaration and approval resolution for the September 21, 2020 Planning Board meeting.

Motion by Mr. Vollmer to direct Mr. Gainer to prepare a SEQRA declaration, Lot Line Adjustment and Amended Site Plan resolutions for the September 21, 2020 Planning Board meeting.

Second by Dr. Bloom. Acting Vice Chair Mrs. Pitt asked for discussion.

Role call:

Chairman Brehm recused.	William Vollmer, aye.	Amie Rennolds, aye.
Corinne Pitt, aye.	Dr. Bloom, aye.	Aaron Cioppa, aye.
Eric Paulson, aye.		

Acting Vice Chair Ms. Pitt concluded the meeting by placing Mr. Nilsen's application on the September 21, 2020 Planning Board agenda.

ANNA LINDSTROM (CASSON)

4 Dodge Road

Pawling, NY 12564

Grid Number: 134089-6857-00-506307

Ruth Williams

18 Old Route 55

Pawling, NY 12564

Grid Number: 134089-6957-00-561294

Resolution/Lot Line Realignment

Mrs. Anna Lindstrom Casson was present.

Chairman Brehm said this application is for a Lot Line Adjustment between Anna Lindstrom-Casson, 4 Dodge Road and Ruth Williams, 18 Old Route 55 in the R-3 Zoning District. Currently, the Anna Lindstrom-Casson parcel comprises 1.4± acres and Ruth Williams

parcel is 24.37± acres. While the proposal originally was to transfer sufficient lands to bring the Lindstrom parcel up to the 3- acre minimum lot size requirement, the Williams lot will now become 23.8± acre while the Lindstrom lot will become 2.0 ± acres. Thus, the Lindstrom lot will remain sub-standard with respect to lot area. The Board is at a point that final Lot Line Adjustment can be granted with conditions. He asked a Board member to read the resolution.

Ms. Rennolds read into the records Resolution #8 of 2020 - Lot Line Realignment for Anna Lindstrom-Casson, 4 Dodge Road and Ruth Williams, 18 Old Route 55. Tax map number 134089-6957-00-561294, 134089-6957-00-506307 (copy in file).

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

Role call:

Chairman Brehm aye
Corinne Pitt, aye.
Eric Paulson, aye.

William Vollmer, excused.
Dr. Bloom, aye.

Amie Rennolds, aye.
Aaron Cioppa, aye.

AMERICAN SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS

Further Discussion/
Site Plan

Intersection of NYS Route 22 and Route 55

Pawling, NY 12564

Grid Number: 134089-7056-00-257503

134089-7056-00-110487

Mr. Rick O'Rourke Esq., from the firm of Keane and Beane. Mr. James Caris AICP from JMC Planning Engineering, Landscape Architecture & Land Surveying PLLC, Robert Hesselback AIA, Lauren Martin Esq., were present.

Chairman Brehm said the property is located at the intersection of NYS Route 22 and 55 in the Mixed Business Industry (MBI) Zoning district. The property consists of two parcels totaling 84.42± acres. Chairman Brehm said the next step in the process is for the Board to review the amendments made to the Environmental Assessment Form. He asked the Board members if they had any comments or question relating to the updates/revisions.

There were no comments or questions by the Board members. The Board accepted the revised Environmental Assessment Forms.

Chairman Brehm said Mr. Caris provided photos of the balloon test from roads taken throughout the Town. He asked if any Planning Board members would volunteer as a subcommittee. These members could travel the routes evaluating the viewshed to review the photos. Mrs. Pitt and Eric Paulson volunteered to review the photos taken at key locations.

Mr. Caris presented the PDF photo exhibits key location on the map presented with the corresponding photo figure. The photos were taken from the following locations:

1. Quaker Hill Road looking Southwest
2. Akindale Road looking west
3. Quaker Hill Road & Akindale Road looking southwest
4. Quaker Hill Road & San Souci Drive looking southwest
5. San Souci Drive looking west
6. South Quaker Hill Road looking Northeast
7. South Quaker Hill Road looking Northeast
8. Quaker Hill Road Looking Southwest

Mr. Caris explained the USGS map presents a difference of 100 foot topography elevations. The 700 foot view in reality is actually a 600 feet.

Mr. Bolner said parcel access and the actual plans are a difference of a 100 foot elevations. Mr. Bolner said on parcel access the site is 600 feet and the San Souci Drive location is 500 feet, in actuality it is below the site. The photos for #1 and 8 are almost two miles away. When you take the elevation of the site versus photo #7, it is a 3% rise over the distance of the site.

Mr. O'Rourke said understanding the correction of the elevation with a proposed 1 story facility, proposes no adverse visual impact. He explained that the Mixed Business-Industry Zoning district allows for construction of three (3) story buildings. In addition, 56% of the property will remain as open space. The building facility and open space creates an efficient aesthetic and unified design incorporating open space elements, natural and appropriate landscape screening throughout the development.

Chairman Brehm asked for Mr. Caris to present to the Board the landscape plantings plans along Route 55.

Mr. Caris presented an illustration of the landscape screening along Route 55. Additionally, the applicants now meet the Pawling Town Code requirement concerning landscaping within the parking lot, therefore are no longer seeking any formal waivers from the Planning Board.

Dr. Bloom asked if proposed landscape buffers were incorporated into the design to mitigate the noise levels from the dogs? And to what extent did the applicants address noise levels?

Mr. O'Rourke responded that the Ceramic Company review was completed for the projected noise impact from the proposed ASPCA facility operations to the adjacent residential areas. We understand that animals will use outside areas. Since the residences located to the north and east have major roads between them and the proposed facility, they considered the southernmost residences to be the most sensitive to animal noise. By approximating the maximum noise levels that will be produced by animals at the facility, they completed an assessment to determine the extent of mitigation required to achieve the Town Code Performance Standards section. Outdoor activities with the dogs will be scheduled during normal hours of operations, between 7:30 a.m. and 6:00 p.m. The outside activities will consist of three components - leash walks, play groups and individual dog pens. The animal noise was projected to the nearest residence to the south of the property, 37 Fenwood Drive. There is significant change in elevation around the ASPCA property and the residential properties, so the topography was analyzed as well. Based on the elevations, the existing conditions provide a natural barrier between the ASPCA facility and 41 Fenwood Drive. The estimated highest elevation of 700' is sufficient to block some noise at 37 Fenwood Drive, and the topography is expected to reduce noise levels at least 10db below maximum allowed levels. The levels are expected to approach inaudible sound most of the time, based on ambient measurements. As the elevation decreases to the East, the natural barrier effect is reduced. Where the elevation change to 690' there is about a 5-10db increase in predicted noise levels from the nearest training areas and the dog walks, respectively. While still below the maximum noise levels, animal noise approaching ambient which may result in audible barks. They noted that the calculations are still conservatively using multiple animals barking at once at very high levels. It is very unlikely, that most animal's noise is significantly lower.

Mr. Caris said to provide further coverage, we recommended that a portion of the 690' elevation be constructed with earth berms to raise the elevation to 700'. We estimate the additional elevation would minimize animal noise to that approaching inaudibility. We estimate that with the implementation of the recommendations above, there are no additional requirements to address exterior dog runs. With the effective measures in place and consideration taken for time of day in which dog activities are to take place, the animal noise should comply with the noise ordinance stipulations in Section 2.0 and should not be objectionable to nearby neighbors.

Mr. Paulson asked if the ASPCA facility would be seen from the Cat Rocks on West Dover Road?

Mr. O'Rourke explained the Appalachian Trail and the Cat Rocks are a minimum of three (3) miles from the site.

Mr. Paulson asked when the facility was built out and if complaints were filed, how those complaints would be handled?

Mr. Caris responded that the ASPCA has maxed out options for mitigation measures to increase barriers implementing blocking out noise.

Chairman Brehm explained that all complaints are filed with the building department. The Code Enforcement Officer would mitigate a resolution with the ASPCA.

Dr. Bloom asked if the construction of the building is sound proof?

Mr. Caris said the ASPCA pens are constructed for dog behavioral rehabilitation to not allow the dogs to bark at one another dog, maintaining a calm environment.

Mr. O'Rourke said administrative offices will be onsite. The state-of-the-art facility will be designed, built and maintained according to best practices to ensure both security and cleanliness for the animals and employees and volunteers. The behavior intervention is an important component to address, hyperarousal, anxiety and inappropriate behavior. Many of these dogs come from abused or cruelty environments, have never been outside and will be introduced to the outside environment. Robust daily enrichment and exercise programs reduce stress and promote behavioral well-being that prevents ongoing bad behavior. Part of the shelter's programs are to address sociology enrichment areas to intervene for successful future adoptions. The outdoor activities are an essential element to providing animal victims of cruelty and neglect with an environment that returns a dog's physical and behavioral health.

Chairman Brehm said the ASPCA proposes different levels of staffing. He asked if there is any consideration to work with the local school district on a volunteer program for high school students interested in the field of veterinary medicine or a training program working with dogs.

Mr. Hesselback responded the program leaders are looking into working with schools. There are many possibilities for high school volunteers or programs for high school students.

Chairman Brehm said the ASPCA can be placed on the Planning Board September 21, 2020 agenda. He recommends the ASPCA finalize architectural building plans for further discussion with the Board.

Mr. O'Rourke explained the ASPCA requires an area variance from the Zoning Board of Appeals and a SEQRA declaration prior to finalizing plans. These approvals are required before the project can move forward with specific details.

Chairman Brehm asked the Board members for direction with building colors to provide the applicant.

The Board members responded with two alternatives. Several Board members suggested earth tone colors. Mrs. Pitt said she agrees with earth tone colors, nonetheless the building architectural currently presented is very attractive. Let the applicants submit attractive colors for a beautiful building. Besides the green roof the aesthetics of a modern building benefits Pawling future designs within our community. It could be a turning point for future developers.

Ms. Rennolds concurred with Mrs. Pitt. She suggested no bright colors, maybe a pallet of greys, she would like to review what the applicant's planner may present.

Mr. Hesselback said they are excited about the ASPCA project. One of the logo colors used is called ASPCA orange. The architectural building will be constructed to add to the community's aesthetics.

Mr. Bolner said the ASPCA submitted architectural photos of a green chain link fence he suggested the chain link fences match with the building plans to create a comprehensive appealing environment.

Chairman Brehm placed the applicants on the September 21, 2020 Planning Board agenda and then scheduled the Public Hearing for the October 19, 2020, after the applicant concludes their area variance with the Zoning Board of Appeals. .

WHITE OAK FARM

115 South Quaker Hill Road
Pawling, NY 12564

Grid Number: 134089- 7156-00-580118,
134089- 7156-00- 546001
134089-7 156-00- 631924

New Application/Environmental Permit
Pond Dredging

Adam Thyberg from Insite Engineering was present representing the applicant.

Chairman Brehm said the parcels are located at 115 South Quaker Hill Road in a CD-5 Zoning district. Subject parcels are located in the New York City East of Hudson (EOH) Watershed. The applicant is proposing to dredge and remove sediment from three (3) existing agricultural ponds to re-establish their previous depths and extents. The parcels are encumbered by Federal and Town regulated wetlands. The proposed scope of work is located within Federal and Town Wetlands (ponds), and within one-hundred (100) feet of wetlands control buffers from a watercourse. Therefore, the applicant was directed to submit a Town of Pawling application for Environmental Ordinance –Chapter 111 Freshwater Wetland and Watercourse Protection to the Town for approval by the Planning Board. Mr. Artus outlined the waivers required by the Board.

Motion by Dr. Bloom to refer the Environmental Permit for issuance by the Storm Water Manager Officer subject to waivers as per §111-6.E. (4)(c)(2) under §111-6.1-A,

- Public Hearing §111-6.F.(1)(b)
- Referral to outside agencies
- Performance Bond.

Second by Ms. Rennolds. Chairman Brehm asked for discussion.

Role call:

Chairman Brehm aye
Corinne Pitt, aye.
Eric Paulson, aye.

William Vollmer, excused.
Dr. Bloom, aye.

Amie Rennolds, aye.
Aaron Cioppa, aye.

WHITE OAK FARM

104 South Quaker Hill Road
Pawling, NY 12564

Grid Number: 134089-7155-00-631324, 134089-7155-00-646795

New Application/Environmental Permit
Timber Harvesting

Christopher Prentis, Certified Forester, Lower Hudson Forestry Services, LLC. was present.

Chairman Brehm said the property is located at South Quaker Hill Road and Tower Hill Road. The parcels contain a total area of 145.57+ acres in which the applicant is proposing 25+ acres for timber harvesting. The property is enrolled in 480a Forest Tax law program and the timber harvest has been approved by the NYSDEC.

Mr. Prentis reviewed Mr. Artus' memorandum dated September 01, 2020. In response to Mr. Artus comments, the additional documents were submitted on September 08, 2020. Mr. Artus said, in regards to NYSDEC Erosion and Sediment Control Contractors Training Certification, it is at the discretion of the Planning Board to waive this requirement. Mr. Prentis said logging is exempt from NYSDEC Erosion and Sediment Control Contractors Training Certification.

Chairman Brehm said it is a Town requirement, not a NYSDEC. In his opinion, he is not comfortable waiving this requirement, because erosion and sediment control protects the local environment.

Mr. Cioppa responded that the Board further discuss Mr. Prentis' training requirements with Mr. Artus.

Mr. Prentis asked what the Board has done in the past in regards to NYSDEC Erosion and Sediment Control Contractors Training Certification. He explained that the loggers are certified loggers. The Watershed Agricultural Council (WAC) is providing assistance and funding for water bars and other erosion control devices. All best management practice will be used for crossing streams.

Following discussion, the Board referred the NYSDEC Erosion and Sediment Control Contractors Training Certification to Walter Artus to further discuss and make a determination, along with review of the additional documents submitted by Mr. Prentis.

Motion by Dr, Bloom to refer Mr. Prentis to work with Mr. Artus on the outstanding conditions resolving all technical and statutory items before issuance of the Timber Harvesting-Environmental permit.

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

Role call:

Chairman Brehm aye
Corinne Pitt, aye.
Eric Paulson, aye.

William Vollmer, excused.
Dr. Bloom, aye.

Amie Rennolds, aye.
Aaron Cioppa, aye.

Chairman Brehm said as per Code of the Town of Pawling §187-7.F. Duties of the Planning Board and more specifically §187-7.F. (1) (c) *Establish amount performance bond or other security as condition of approval the amount of such bond or other security be approved by the Town Board, in accordance with procedure contained in Chapter 39 of the Town Code.* It is the recommendation that Planning Board recommends to the Town Board a performance bond in the amount of \$5,000.00 be posted with the Town of Pawling.

Motion by Dr. Bloom that the Planning Board recommends to the Town Board that a five thousand (\$5,000.00) performance bond for White Oak Farm Timber Harvest Environmental Permit be posted with the Town of Pawling.

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

Role call:

Chairman Brehm aye
Corinne Pitt, aye.
Eric Paulson, aye.

William Vollmer, excused.
Dr. Bloom, aye.

Amie Rennolds, aye.
Aaron Cioppa, aye.

Chairman Brehm said the applicant has been placed on the September 21, 2020 Planning Board agenda. At that time the Planning Board can waive any requirements pursuant to Chapter 187 and refer the application to the Storm Manager Officer for issuance of the permit, after all technical and statutory items have been resolved.

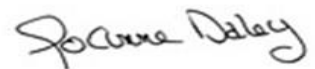
NEW BUSINESS

Chairman Brehm updated the Board on the PTM Auto Sales.

ADJOURNMENT

On a Motion by Ms. Rennolds and second by Mr. Cioppa to adjourn the meeting at 8:35 p.m. All were in favor and the Motion carried.

Respectfully submitted



JoAnne Daley
Recording Secretary

non - approved minutes