

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

ALSO PRESENT: Greg Bolner from CPL Engineering, Ron Gainer P.E

CONTENTS: Utter's Estate (4 Lot(s) Subdivision) Hannaford Brother's (Site Plan), Jorge Merchan (Site Plan and Special Use permit) Anne Chung (Environmental Permit) Gerard and Antoinette DePaoli (Escrow Release) Petition to Re-Zone,

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

UTTER'S ESTATE subdivision

New Application/Four Lot(s) Subdivision

Harmony Road

Pawling, NY 12564

Grid Number: 134089-6955-00-660987

Chairman Brehm said the property is located at Harmony Road consisting of 121.0± acres in an R-4 Zoning district. The applicants proposes to subdivide the lot into four parcels.

Mr. Thyberg said the primary use of the property has been and continues to be an agricultural use. Accessory to the agricultural use there are several barns and sheds. The property is currently owned by several heirs of the Utter's family, who desire to split the property amongst parties. The largest of the lots would be approximately 52± acres. The central proposed lot frontage would be 23.0± acres. The proposed lot to the south west and the northern most proposed lot would be approximately 32.0± acres and 15.0± acres.

Mr. Vollmer asked if the applicants plan to construct residential houses.

Mr. Thyberg responded that the purpose of the proposed subdivision is to facilitate settlement ownership of the estate amongst its heirs. No development of the property is planned as part of this subdivision. The subdivided lots will remain unchanged in form and use.

Mr. Liquori explained agricultural exemptions, if the family choose to develop the lots proposing housing resulting in a use of the property change there is the potential for a tax roll back. The landowners have to be very careful of future development.

Ms. Rennolds asked if the proposed lots have adequate road frontage.

Mr. Thyberg explained that the lots configuration were designed to include adequate road frontage, natural features, contiguous land to specific family member's current residents.

Ms. Pitt asked why lot #2 consist of a zig zag line opposed to a straight line. Can the lot line be reconfigured straight?

Mr. Thyberg said the lot line follows natural topography, tree line or stone walls for a natural separation. He can verify with the land surveyor why the lot line was done with zig zag configurations to provide additional details.

There was discussion on steep slope regulation relating to lot #3, would these natural constraints challenge future lot improvements.

Mr. Thyberg explained that the lots were configured based on lot size, no computation for future lot improvements were designed.

Chairman Brehm suggested that unbuildable lots not be created that could be a determinant to future development. The access should be taken in consideration, or the necessary for a future easement through another parcel.

Mr. Liquori said it always good for the Board to acknowledge potential future easements that could be warranted or a variance under 280A. It is beneficial for the applicants to identify future development access and what requirements need to be preserved.

Mr. Gainer said lot #3 contains steep slopes and NYSDEC wetlands that could impede development.

Mr. Thyberg said they can review the steep slopes road frontage to prove out access. He explained lot #3 would be retained by the adjoining landowner Mr. John Utter.

Mr. Bolner asked why the frontage on lot #2 is presented above and below and why was that frontage section maintained to the south.

Mr. Thyberg said he will need to follow up with the land surveyor, he is unsure if it is related to the barn structure setbacks.

Following discussion the Board move the application forward for concept approval. The Board did not schedule a site inspection as no construction is proposed.

Motion by Mr. Paulson to grant Utter's Estate located at Harmony Road concept subdivision approval for a four (4) lot(s) subdivision. .

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

Role call.

Chairman Brehm aye

William Vollmer, aye.

Amie Rennolds, aye.

Corinne Pitt, aye.

Dr. Bloom, aye.

Aaron Cioppa, aye.

Eric Paulson, aye.

HANNAFORD BROTHERS

Akindale Road

Pawling, NY 12564

Grid Number: 134089- 7056-00-561152

Further Discussion/Building Architectures

Site Plan

Mr. Jay Lord P.E. from the firm of Maple Rock, Elizabeth Hobbs and Mr. Tyler Sterling Manager from the Hannaford's 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 'HB' Zoning District. A Planning Board subcommittee has been working with the Hannaford Brother team on the building architectures.

Ms. Rennolds spoke on behalf of the subcommittee. Hannaford Brothers have now incorporated the portico, light stone and revised the color scheme. The subcommittee is receptive to a reduction in parking spaces in exchange for a portico.

Ms. Nilsen presented the design modification to address the Board's concerns on the store exteriors:

- Added a low brick wall to form an articulated base along the building façade.
- Added architectural detailing to walls to soften the box look.
- Added faux windows along the Akindale Road façade.
- Changed the building colors to neutral, muted grey scheme with an auburn roof to create a more "barn like" look similar to the rural barns seen in Dutchess County.
- Added a small pocket park on the south west corner of the build.

- Added enhanced landscaping along the south Akindale Road façade.
- Provided improved signage along the Akindale Road entrance.
- The front isle was narrowed from 29 feet to 15 feet.

The Board and Hannaford brother team discussed many option for the breakup of the building scale, color schemes of the roof and trim. There was a lengthy discussion on the faux windows, trim and roof colors.

Mrs. Pitt suggested Hannaford Brothers check with management on the branding color schemes. The Board feels strongly that the horizontal and vertical banding works to break up the building boxiness, nonetheless, the dark brown is not desirable or compatible. She asked if it is possible to perform a simple computer rendering showing these vertical and horizontal bands in a different color perhaps lighter gray. The proposed walls are essentially two shades of gray with the third color being cream on the upper portion of the building. If architectural renderings could be submitted with the two color schemes presented side by side, these renderings would be beneficial to understanding the color schemes.

Mr. Paulson suggested the south side gable roof be wrapped around the smaller portico, enhancing the roof line.

Ms. Rennolds said the latest coloring renderings are leaning towards the Boards direction on color scheme and detailing of the walls to soften the look. She appreciates that Hannaford Brother's team worked over the weekend to present revised architectural render drawings for tonight meeting.

Ms. Nelson said the team wanted to present the changes in the building architectural renderings. There main concern is Hannaford Brothers has found out by previous experience that outside covered areas serve little use, except for as used in other store locations added cart storage. These spaces become underutilized spaces. The proposed Pawling store has a designed entrance/exit vestibule large enough for most cart storage while giving customers enough space to pause and orient themselves. The stores interior layout provides for administrative offices, which are critical to the store operations, and cannot be relocated to provide the overhang construction.

The Board discussed the lighting fixtures and confirmed with the applicant that no goose lighting will be proposed over the welcome sign.

Mr. Lord responded that the photometric plan parking lot lights will reflect onto the building creating a well-lit areas.

Mr. Sterling explained the color scheme presented is harmonious with the M & T Bank creating productive renderings pursuant to the Code of the Town of Pawling. Hannaford Brother's in good faith continue to work with the Board.

Chairman Brehm went over the individual building architectural of the Board discussion this evening:

- Façade on Akindale is improved as shown in current rendering
- Façade facing 22 is still too boxy; look at providing a portico along front façade to add interest
- Reviewed front vestibule floorplan to show spaciousness of interior vestibule and location of offices/restrooms
- Subcommittee understands site constraints and that adding portico may push into parking area; discuss possible reduction in parking to accommodate portico

- Portico could run between gables; see Waldoboro store as an example with roofline and column placement
- Applicant team will review building footprint and gable end depth away from building to see if portico can be accommodated
- Building color was discussed; gray palette is preferred; auburn roof and trim questioned – could palette similar to Waldoboro be used? J Lord will get photos of similar store to show auburn color
- Would like to see stone with gray palette in lieu of brick on lower course of building
- Would like additional parking landscaping; Tighe & Bond will review this in relationship to septic and stormwater management systems
- For meeting on 11/16 Applicant team will provide additional information noted above

Ms. Rennolds said as discussed this evening, the Board agrees that we do not desire to hold up Hannaford Brothers continuing development of the drawings details of the building architectural. In conclusion, the Board expresses that they feel strongly that the horizontal and vertical banding works to break up the building boxiness but the dark brown is not desirable or compatible. The next step would be a submission of computer rendering showing these vertical and horizontal bands in a different perhaps lighter gray, so the walls are essentially two shades of gray with the third color being cream on the upper portion of the building. If architectural renderings could be submitted with the two color schemes presented side by side, this would be beneficial to understand a preferable harmonious color scheme. The updated revisions can be circulated to the Board members and the subcommittee shall continue to work with the Hannaford Brother's team to bring the building architectures to a conclusion.

A site inspection was scheduled for December 05, 2020 at 9:00a.m.

PTM AUTO SALES LLC

Amended Site Plan & Special Use Permit

*Jorge Merchan*

1249 NYS Route 22

Pawling, NY 12564

Grid Number: 134089-11-7058-631821

Mr. Joseph Zarecki P.E. from the firm of Zarecki & Associates, Mr. Jorge Merchan was present.

Chairman Brehm said the property is located at 1249 NYS Route 22 in the Highway Business "HB" zoning district.

Mr. Bolner began by reviewing his memorandum dated November 12, 2020. The applicant currently has a porta potty on his property due to the Covid 19 pandemic. After further review with the Planning Board's Attorney Michael Liquori Esq., it has been determined that the Code of the Town of Pawling does not include a provision for the Planning Board to approve a temporary porta potty. Therefore, the Planning Board does not have the authority to approve a temporary condition via plat note. The Code Enforcement Officer has the sole discretion, to allow specific time periods to maintain a port potty on site during the Covid 19 pandemic. Additionally the applicant is requesting to rotate the parking spaces for the used car lot.

Mr. Liquori Esq., said the Board is not objecting to the porta potty during the Covid 19 pandemic, they will not be illustrating the porta potty on the Site Plans. Mr. Liquori said it is determined that the porta potty should not be referenced on the Site Plan for the reason the Board does not have the authority to approve it. However, the Board recognizes that it is needed due to the pandemic. The Code Enforcement Officer may permit the porta potty for the duration of the pandemic. The Planning Board acknowledges that this is how we are going to proceed with regards to this particular application given the fact that the only shared restroom is located in Mr. Merchan's personal residence.

Mr. Zarecki responded that they understand the porta potty is only allowed during the pandemic, after the pandemic is over the household bathroom will be made available to customers and employees. Mr. Zarecki went over the formal waivers being requested.

- Waiver of parking within the front yard, section §215-31.1 B (5)
- Waiver of three required parking spaces for the Vehicle Sales and repair business (11 spaces required, 8 spaces provided section §215-34J (1)).

The applicant has researched installing an oil separator system for the auto repair building. He explained that this is not a feasible option for the applicant. Two notes were added to the plans, stating Garage/Auto repair shop shall maintain an adequate supply of speedy dry, and or absorbent socks to contain and clean up any spills, and a garage door threshold seal strip, as manufactured by Weather Defender Inc. (or approved equal) shall be installed at the garage door opening threshold to prevent spills of fuel, oils, or other toxic materials from exiting the garage/auto repair shop. Mr. Zarecki went over the reconfigured customer parking spaces, residence parking, ADA handicap compliant parking, gravel access to display area and existing used car display areas (3 rows of 5 cars on gravel) and relocation of proposed 10 x 20 spaces for vehicle on gravel.

Chairman Brehm asked what proposed shortage area square footage and auto repair shop.

Mr. Zarecki replied, that the storage area is proposed at 1,200 s.f. and the auto repair shop is 1,200 s.f. Additionally the applicant would like to plant junipers bushes along the access and to the back parking spaces.

Chairman Brehm said it was discussed to clean up along the access into the property to enhance the sites aesthetics. The type of landscaping for plantings should include either low shrubs or a specific type of tree with a four or five foot trunk that branches out on top.

Motion by Dr. Bloom to grant concept approval to PTM Auto Sales LLC Jorge Merchan located at 1249 NYS Route 22.

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

Role call.

Chairman Brehm aye

William Vollmer, aye.

Amie Rennolds, aye.

Corinne Pitt, aye.

Dr. Bloom, aye.

Aaron Cioppa, aye.

Eric Paulson, aye.

Motion by Mrs. Pitt to acknowledge PTM Auto Sales LLC- Mr. Jorge Merchan project represents an "unlisted" action pursuant to SEQRA and that the Board wishes to conduct a coordinated review, and hereby declares the Board's intent to become lead agency.

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

All were in favor and the Motion carried.

Motion by Mrs. Pitt to request that the Secretary of the Planning Board accomplish the necessary outside agency referrals for the PTM Auto Sales LLC-Jorge Merchan Site Plan project.

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

All were in favor and the Motion carried.

ANNE CHUNG

Environmental Permit/Timber Harvesting

Old Quaker Hill Road

Pawling, NY 12564

Grid Number: 134089-7015-00-492950

Mr. Joseph Zarecki P.E. from the firm of Zarecki & Associates was present.

Chairman Brehm said the property is located at Old Quaker Hill Road in the CD-5 Residential Zoning district. The applicant is requesting a Tiber Harvesting Permit Chapter 187, Soil Erosion, Sediment Control and Steep Slopes Protection, Chapter 11, Freshwater, Wetlands and Watercourse Protection Chapter 171. Mr. Artus, Environmental director memorandum dated November 09, 2020 outlines, the guidelines for the individual Chapters. Chairman Brehm broke down the Motions based on consideration specific to the applications for Environmental Permits.

Motion by Chairman Brehm to refer the Chapter 187 Timber Harvesting permit to the Storm Manger Officer for implementation in accordance with Mr. Artus memorandum dated November 09, 2020 subject to;

- Waive the requirements for number 5 a) b).
- The Planning Board recommends to the Town Board posting of a performance bond in the amount of \$5,000.00.

Chapter 111 Freshwater, wetlands and Watercourse Protection subject to;

- Waive the requirements for 4 a) b) c) d)

Second by Mrs. Pitt. Chairman Brehm asked for discussion.

Role call.

Chairman Brehm aye

William Vollmer, aye.

Amie Rennolds, recused.

Corinne Pitt, aye.

Dr. Bloom, aye.

Aaron Cioppa, aye.

Eric Paulson, aye.

GERARD AND ANTOINETTE DEPAOLI

Administrative/Escrow Release

1 Fenwood drive

Pawling, NY 12564

Grid Number: 134089-7056-00-428399

No one was present representing Gerard and Antoinette Depaoli

Chairman Brehm said the property is located at 1 Fenwood Drive. A letter dated November 12, 2020 from Gerard and Antoinette Depaoli requesting escrow release in the amount of \$353.20 was received. The DePaol's Site Plan has been completed. It has been confirmed by the Board's secretary that no outstanding invoices remain to be paid.

Motion by Mr. Paulson to recommend to the Town Board to release escrow in the amount of \$353.20 to Gerard and Antoinette Depaoli.

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

Role call.

Chairman Brehm aye

William Vollmer, aye.

Amie Rennolds, aye.

Corinne Pitt, aye.

Dr. Bloom, aye.

Aaron Cioppa, aye.

Eric Paulson, aye.

PETITION TO REZONE 89 MT. Tom Road

Chairman Brehm said the Board is in receipt of a cover letter in consideration how the implementation of this proposed zoning change dovetails with our current Comprehensive Plan and Zoning ordinance. The Board has worked with the Mr. Gainer P.E. and the Planning Board's subcommittee on outlining technical and statutory items related to the Petition to rezone

Mr. Gainer explained the project overview, which includes the local context. Consideration, Project Density, Town Comprehensive Plan/Zoning consideration, PDD consideration, and Comparison of Objectives and Layout of Existing PDD and current PDD, Proposed PDD and Traffic Consideration and Village Impacts.

Motion by Mr. Vollmer to authorize the Chairman of the Board to sign the recommendation letter to the Town Board on the Petition to Rezone 89 Mt. Tom.

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

Role call.

Chairman Brehm aye

William Vollmer, aye.

Amie Rennolds, aye.

Corinne Pitt, aye.

Dr. Bloom, aye.

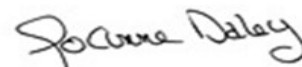
Aaron Cioppa, aye.

Eric Paulson, aye.

ADJOURNMENT

On a Motion by Ms. Rennolds and second by Mr. Vollmer to adjourn the meeting at 9:15 p.m. All were in favor and the Motion carried.

Respectfully submitted



JoAnne Daley  
Recording Secretary