

PRESENT: George Brehm Chairman, Dr. Thomas Bloom, Aaron Cioppa, Gregory Bernard, Steven Jobe and Mark Friedman.

EXCUSED: Jay Erickson

ALSO PRESENT: Ronald J. Gainer, PE, Michael Liquori, Esq. and Brendan Liberati from the law firm of Hogan Rossi and Liquori.

CONTENTS: Ark of Ministries Site Plan, Stuart Leaf Special Use Permit for an Accessory Apartment and Minutes.

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

ARK OF MINISTRIES

New Application/Site Plan

3302 Route 55

Pawling, NY 12564

Grid Number: 134089-6856-00-572709

Mr. Joseph Zarecki P.E. from the firm of Zarecki and Associates LLC was representing the Ark Of Ministries applicant.

Chairman Brehm said the property is located at 3302 Route 55 in an R-4 Zoning District.

Mr. Zarecki said the Ark of Grace is a non-for-profit corporation and seeks to build an animal sanctuary to take care of lost, abandoned and disabled animals. The subject parcel lies on the south side of NYS Route 55. The site is comprised of two parcels of land, Tax Map # 124089-6857-00-614585 74.84 acres, and Tax Map # 134089-6857-00-572709, which consists of 12.93 acres. The facility will not be open to the public. The proposed improvements are on approximately 3 acres at the north end of the property. An eight-stall horse barn, a two story garage/maintenance building with break room on the second floor for workers, and a hay storage (quonset hut style) buildings are proposed. In addition, the site will include chicken and duck coops, and a series of corrals and pens for the horses, ponies and other small livestock. A new drilled well will be installed to service the barn and garage. Furthermore, a new sanitary sewer disposal system (SSDS) will be designed for approval by the Dutchess County Board of Health, for the barn, garage, bathroom facilities and upper floor of the garage (known as the breakroom).

Chairman Brehm asked if the Arc of Ministries would have caretakers living on the property.

Mr. Zarecki replied that the owners live in the main house. Their plans are not to have employees living on the premises. The break room is for the employee's use during working hours.

Dr. Bloom said as the animal sanctuary expands, there could be employees living on the premises in the future. A worker's residency could be forthcoming, depending on the growth of the animal sanctuary. The Board should consider future expansion of animal caregiver/farm workers on a facility this size.

Mr. Gainer asked the number of times employees staying overnight may be expected?

Mr. Zarecki said the landowners' plans are to only employ day workers.

Dr. Bloom asked where are the nearest watercourses/wetlands located to the proximity of the proposed barn?

Mr. Zarecki said the wetland/watercourse are 600 to 700 feet from the proposed facilities.

Mr. Gainer clarified that the Arc of Ministries owns both parcels and would be utilizing these parcels for the animal sanctuary. Additionally, he recommended that, in order to validate the wetlands, that they be flagged for formal delineation.

Mr. Zarecki said the Arc of Ministries owns both parcels. The animal sanctuary is proposed on both parcels due to the topography of the parcels. As the project moves forward a legal cross easement would be forthcoming.

Mr. Cioppa asked if the applicant would consider a lot line realignment as part of this application, to allow the animal sanctuary to be located on one parcel, as opposed to two parcels with legal cross easement agreements.

Mr. Zarecki responded that the landowners do not want to realign the parcels.

Mr. Friedman questioned if the Arc of Ministries landowners are both the same entities owning both parcels?

Mr. Zarecki replied, yes. The Arc of Ministries lives in the main residence on the larger parcel.

Mr. Liquori explained how the Arc of Ministries could lease the property to another entity. Dr. Bloom asked if this is a commercial business located within a residential district.

Chairman Brehm said an animal sanctuary is not considered a farm. He felt the Board needed a clean understanding if this is a commercial or a private use proposed.

Mr. Friedman said if a landowner planned to construct a barn for horses, then they do not need appear before the Planning Board, since, they are a non-for-profit does that quantify for the landowners to appear before the Board for a site plan. What types of animals will be housed or rehabilitated on the proposed sanctuary is the Board discussion this evening?

Mr. Liquori said Mr. Beck, Zoning Administrator should make a determination on the principal permitted use. There might be other aspects of the site plans that require review, such as environmental, New York State Building code and types of usages.

Chairman Brehm said a discussion will be held with Mr. Beck on the property use.

Mr. Zarecki asked if this was an appropriate time to discuss the fees with the Board members.

Chairman Brehm said Mr. Zarecki can schedule a meeting with him to review the Planning Board fee schedule/invoice. If Mr. Zarecki feels the fees are too high, then this is a discussion to be held with the Town Board. No reviews can occur until fees are paid and an escrow account set up. This evening's meeting was for concept discussion only. The Board can move this project forward by assigning an engineer for reviews once the fees are paid.

Motion by Mr. Cioppa to grant concept approval to the Arc of Ministries for a proposed animal sanctuary.

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

All were in favor and the Motion carried.

Motion by Dr. Bloom to assign Mr. Gainer P.E. to the Arc of Ministries Site Plan application.

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

All were in favor and the Motion carried.

Motion by Mr. Friedman to allow Mr. Gainer and Mr. Zarecki to work together on the Arc of Ministry site plan subject to:

- Keeping the Board informed on all project correspondence.

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

All were in favor and the Motion carried.

STUART LEAF

Further Discussion/Special Use Permit

275 South Road

Pawling, NY 12564

Grid Number: 134089-218211

Mrs. Marie Boalt Manager of WLP LLC was present representing Mr. Stuart Leaf.

Chairman Brehm said the property is located at 275 South Road in a Residential R-3 Zoning District. A site inspection was held on November 13, 2022. The outcome of the site inspection was that the landowner had obtained a building permit (without issuance of a Special Use Permit by the Planning Board) for a 320 square foot addition to the garage. The entire garage is now an accessory apartment, which does not meet the Code of the Town of Pawling. The main dwelling 1120 square feet. As per §215-17.1 paragraph C of the Code of the Town of Pawling, an accessory apartment may not occupy more than 30% of the floor area of the principal dwelling. From observations made at the site inspection, the accessory apartment exceeds the allowable square footage. Therefore, the Board can refer the applicant to the Zoning Board of Appeals. Furthermore, the Board can declare this application a Type II SEQRA action this evening.

Motion by Mr. Bernard to declare the Stuart Leaf, Accessory Apartment located at 275 South Road Special Use Permit a Type II action according to SEQRA.

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

All were in favor and the Motion carried.

Mr. Gainer explained to the Board that the accessory apartment must comply with all code bulk requirements for a one-family residential lot. While dimension are provided on the survey map, the survey should be revised to include a table specifying all "required" and "provided" bulk regulation information for the property, in order to establish whether any other variances may be required for the structures now in place. It appears, at a minimum, the required front yard setback is not met by the primary residence. Per Town code section §215-17.1.C for all such non-compliances the applicant is required first to obtain a variance from the Town of Pawling Zoning Board of Appeals by the applicant.

Motion by Mr. Bernard to refer Stuart Leaf, 275 South Road Special Use Permit for an accessory apartment, for non-conformities per Code of the Town of Pawling Section 215-17.1 to the Zoning Board of Appeals.

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

Chairman Brehm said the Board acknowledges the necessary referrals to Dutchess County Board of Health and the Fire Marshal this evening.

APPROVAL OF MINUTES:

Motion by Mr. Cioppa to approve the Minutes of September 06, 2022, October 03, 2022 and October 17, 2022 as read.

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

NEW BUSINESS

i. Planning Board Procedural Forms.

Dr. Bloom recommended the Board create forms to assist applicants with the process to understand the timelines and procedures on obtaining Subdivision, Site Plan, Lot Line Adjustments, and Special Use Permits etc.

Mr. Friedman explained forms that are available in other Towns or City's consist of flow charts. This idea could be beneficial to assist applicants, along with written procedures.

Chairman Brehm appointed Mr. Friedman and Dr. Bloom to a subcommittee with Mrs. Daley to develop flow charts and procedural forms for the Planning Department/Board.

ADJOURNMENT

On a Motion by Mr. Bernard and second by Mr. Cioppa to adjourn the meeting at 8:15p.m. All were in favor and the Motion carried.

Respectfully submitted,



JoAnne Daley
Recording Secretary

non-approved minutes