

PRESENT: Jay Erickson, Vice Chairman, Dr. Thomas Bloom, Gregory Bernard, Mark Friedman, Steven Jobe and Jennifer Coleman.

EXCUSED: Aaron Cioppa, Chairman

ALSO PRESENT: Ronald J. Gainer P.E, Mike Liquori Esq. and Brendan Liberati, Esq. from Hogan, Rossi and Liquori Law Firm.

CONTENTS: Pawling Fire Department Signage, Singh DBL Signage, Minutes and New Business.

Vice Chairman Erickson ran the meeting in the absence of Chairman Cioppa. He began by opening the meeting at 7:00p.m. and then led the salute to the flag.

PAWLING FIRE DEPARTMENT

New Application/Signage

25 South Street

Pawling, NY 12564

Grid Number: 134089-6956-00-976613

Mr. Everett White, Fire Chief for the Pawling Fire Department was present.

Vice Chairman Erickson said the property is located at 25 South Street, consisting of 10.8 acres in the VRD Zoning district. The Pawling Fire Department parcel borders two roads, Dutcher Avenue and South Street.

Mr. White said the Pawling Fire Department seeks to install a LED full color sign along Dutcher Avenue. The sign is controlled via cellular phone, which includes text, animation, images and pre-recorded video clips. The length of message can be changed as often as needed. The sign height is approximately 11'3" and the width is 7' 4". The LED automatically goes down 25% percent in the evening. The power will be installed from the Chamber of Commerce signage located at the intersection of Dutcher and NYS Route 55.

Vice Chairman Erickson said the Board has been presented with two color options for the border, red or brown.

Mr. White said the Pawling Fire Department is willing to work with the Board on the color. He explained both options for a base.

Vice chairman Erickson asked if Ken Clair Building Inspector had written a Zoning referral letter for the Board this evening.

Mr. White responded that Mr. Clair CEO/Zoning Administrator was not able to write a referral letter in time for the meeting.

Mr. Liberati explained the Code of the Town of Pawling Section §215-40G. (4) to the Board.

Ms. Coleman asked what type of messaging will be displayed throughout the year on the sign?

Mr. White responded, an emergency notification, bi-annual preventive messaging (i.e. smoke alarm “change your batteries” or carbon monoxide units) time and temperatures, fire department events, etc.

Mr. Freidman clarified the sign location along Dutcher Avenue. He wanted to bring up one general comment that this Board encourages signs placed within monument planters. He felt the Board had to take into consideration the topography of where this sign would be installed.

Mr. White said they are 30 feet from the center of the roadway. The objective is to be safe while allowing the sign to be visible.

Vice Chairman Erickson said a more aesthetically consistence monument base matching the Chamber of Commerce sign would be the Board’s preference. He asked the members of the Board their preference towards the red or brown sign border color.

Mr. Freidman suggested a more natural wood option for the proposed sign.

Mr. White said Stewarts Sign Company does not supply wood signs, the material for a sign as presented is aluminum steel.

Dr. Bloom said he is sure the Fire Department color preference is a fire engineer red color.

Vice Chairman Erickson suggested a few evergreen trees around the sign would obscure the pylon posts.

Dr. Bloom said aesthetically he does not prefer the pylon posts. He would prefer a more solid base within the stone monument.

The Board discussed how they are adding additional cost to the proposed signage.

Mr. White said they can make a make a two or three foot wide center.

Ms. Coleman said the base can be made larger and then centered within a stone monument matching the Chamber of Commerce signage.

Vice Chairman Erickson suggested an area for plantings creating a more elegant design.

Mr. White said the Pawling Fire Department is a volunteer fire department with limited economic costs. They are willing to work with the Board. Nonetheless, they do not have adequate funds for extensive signage.

Following discussion, the consensus of the Board preference is a brown color for the sign’s frame.

Vice Chairman Erickson said the Board options is to approve the sign per the recommendation discussed this evening or ask Mr. White to resubmit with the suggested revisions.

Mr. White said they can revise the drawings of the proposed signage based on the Board’s discussion this evening.

Vice Chairman Erickson said the Board can add the Pawling Fire Department to the next agenda.

JOHN RUFFLER

New Application/Environmental Permit

270 North Quaker Hill Road
Pawling, NY 12564
134089-7157-00-016875

Mr. John Ruffler landowner was present.

Vice Chairman Erickson introduced John Ruffler minor Timber Harvesting Environmental Permit. He said the property is located at 270 North Quaker Hill Road consisting of 14.5 acres in the CD-5 Zoning district. The Board is in receipt of Mr. Artus's memorandums. Mr. Ruffler timber harvesting permit entails removal of approximately thirty (30) dead or dying trees surrounding his recently purchased property, and to grind down a number of stumps to re-establish lawn area. Additionally, he plans to prune, shape and trim existing healthy trees.

Mr. Ruffler said he recently purchased the property, which consist of dead trees along North Quaker Hill Road and trees surrounding his residence.

Vice Chairman Erickson asked how many acres are wooded on the property.

Mr. Ruffler said a large portion of the lot, approximately 10± acres is wooded. The majority of trees to be removed are surrounding his residence.

Dr. Bloom asked if a majority of the property will be cleared?

Mr. Ruffler said there is a cluster of trees, 90 feet tall near his residence. These trees are dead, creating unsafe conditions with the potential of these to fall on his residence. Furthermore, he plans to remove the dead trees along the roadway.

Motion by Mr. Freidman to declare this application a Type II SEQRA action; therefore, no action is necessary by the Board.

Second by Dr. Bloom. Vice Chairman Erickson asked for discussion.

All were in favor and the Motion carried.

Motion by Dr. Bloom to grant John Ruffler located at 270 North Quaker Hill Road a Timber Harvesting Environmental Permit. As per 187-7G. Waiver of requirements and more specifically 187-7. G (1) recommends the Planning Board waives the following requirements:

- a) Waive any additional information requirements not submitted with said application in accordance with 187-7A and C of Chapter 187.
- b) Waive the referrals to outside agencies.
- c) Waive the requirement for a performance bond or other security.
- d) Waive the requirement for submission of a NYSDEC Trained Contractor Certification to accompany the Environmental Permit being the proposed action does not involve any land disturbance activities resulting in exposed soils.
- e) Suspend the permitting process for the action and authorize the immediate issuance of the permit.

Second by Mr. Friedman Vice Chairman Erickson asked for discussion.

All were in favor and the Motion carried.

SINGH CHINNA LLC

Further Discussion/Signage

851 NYS Route 22
Pawling, NY 12564
Grid Number: 134089-7057-00-297809

Mr. Singh, landowner and Mr. Curt Johnson from JPL Group Design LLC was present.

Vice Chairman Erickson said the property is located at 851 NYS Route 22 in the Highway Business Zoning district. This application has been before the Board, and the objective this evening is to address the question between the Zoning Board of Appeals and Planning Board that relates to the site signage. An ad hoc Planning Board subcommittee was established for this purpose.

Mr. Jobe said there was a number of items that were outlined for review by the Planning Board and a number of area variances required by the Zoning Board of Appeals. The subcommittee provided an outline of the various non-compliances, as well as our view as to which fall under the purview of the Zoning Board of Appeals and which lies within the Planning Board authority. The subcommittee can review these items individual for the full Boards discussion this evening.

Freestanding Sign:

The applicant proposes a 20' high sign with a 3' high stone base, overall size is 66' sf.

The subcommittee recommends two items for the free-standing sign,

- 1) Reduce sign height to 14' per Code section §215-40F. (9) and bring the square footage to within 50 sf. per code section §215-40F. (4).
- 2) Replace the existing sign in its current location (10' from the southern side lot line). Code section §215-40.F. (8) states "no sign may be located nearer than 25' to any paved road or lot line.

The subcommittee recommendation is to allow the new sign to be erected in its current location as the applicant has received a prior area variance for the current sign.

Illumination:

The applicant proposes that the sign be internally illuminated, with alternating display of "CASH" or CREDIT" gasoline prices intermittently. Per code section §215-40 F(3), "no sign shall be illuminated except as specifically approved by the Planning Board."

The subcommittee felt allowing the intermittent change of the LED cash or Credit prices is consistent in spirit with the current "time and temperature" exception in code section §215-40.F(7) and is a service to customers. This could be subject to a broader discussion with the Board.

Vice Chairman Erickson said the Board should take each section individually for discussion and approvals.

Mr. Johnson said the freestanding sign included 3 panels. The bottom panel reading "DBL EXPRESS" has been removed.

Mr. Bernard asked Mr. Johnson if he is saying the free-standing sign cannot be reduced to 50 square footage.

Mr. Johnson responded there is three panels totaling 66 square feet. The freestanding sign could be reduced to 14 feet high, with a reduced base. The current base and freestanding sign is 15.5 feet high. The prices shown are for gas and diesel.

Vice Chairman Erickson said it is possible to remove pricing from the sign, and simply state "Valero". The Lagrangeville "Valero" gas station is a low monument sign with no gas pricing. Based on his understanding, the diesel information is less important than the gas prices. The bottom line is the free-standing sign should conform to the Code of the Town of Pawling.

Mr. Bernard said it is easier for truck running up and down NYS Route 22 to enter this gas station for diesel fuel. Therefore the diesel pricing is important.

There was discussion on the signage approvals granted for Gasland Petroleum to maintain consistence along NYS Route 22.

Mr. Friedman suggested the applicant revise the free standing drawings for resubmission to the Board, prior to any approvals granted.

Ms. Coleman said the free standing is a combination of Valero branding, a customer's experience and meeting of the Code of the Town of Pawling aesthetics.

Canopy Signage:

Mr. Jobe said there are two (2) canopies that will carry internally illuminated "Valero" branding on two (2) sides (north and east on the northernmost canopy, south and east on the southernmost canopy). Each of the (4) gas pumps will have signage (branding and gas prices). (Note: The applicant has reduced the amount of branding on the canopies by 50% from the original proposal).

The subcommittee's recommendation is to allow the signage to be illuminated, and allow the amount of branding on the canopies, as currently proposed, despite it exceeding the number of allowable signs (2) per code section §215-410. F. (2).

Mr. Johnson explained the coloration goes around the banding of the canopy.

Mr. Jobe said Valero conveys a specific brand. It is a missed opportunity to not allow the conventional branding. In his opinion it will assist with drawing customers to the gas station.

Vice Chairman Erickson asked if the Board members agree to the consensus of the canopy signage. The members concurred.

Building Signage:

Mr. Jobe said the applicant proposes a wall mounted sign for the convenience store that reads DBL EXPRESS, to be lit by goose neck lights. A commercial enterprise may have no more than two (2) signs, neither of which shall be larger than 12 sf in total area, per code section §215-4.F.2.

The recommendation of the subcommittee felt that despite it exceeding the number of allowed signs, the Planning Board believes that the applicant may be allowed this building signage, as this sign replaces the convenience store signage that was removed from the free-standing sign. The wall mounted sign is not internally illuminated.

Vice Chairman Erickson asked Mr. Johnson to explain what business brand element of the Valero gas station is for DBL Express.

Mr. Jonson responded that DBL Express is the convenience store portion of the business operation, which is branded with Valero gas stations.

Mr. Liquori said normally the convenience store operation is separate from the gas station.

Vice Chairman Erickson said the recommendation is clear to allow the building wall-mounted signage. The DBL Express has been removed from the free-standing sign and is re-placed as a building wall mounted sign with goose lit lights. The sign is proportionate to the building.

Overall Site Illumination:

Mr. Jobe said the proposed canopy lighting will result in illumination levels as high as 9 foot-candles at the property line, due to the proximity of the pump canopies to the front property boundary. As per code section §215-40F(13) no lighting shall produce off site glare or cause illumination beyond the property in excess of 0.5 footcandles, and §215-35(N). This is 8.5 footcandles in excess of code section it is noted that the eastern property line is actually setback considerably from NYS Route 22, which would result in no measurable glare at the road.

Mr. Johnson said they cannot meet the 0.5 footcandles limit at the property line. The 0.5 footcandle limit can be met at the NYS Route 22 leased line. This is a unique parcel given the limited size of the tract, and the portion of property leased from New York State Department of Transportation.

The subcommittee recommends allowing the lighting on and under the canopies as currently proposed, to provide additional safety and convenience for customers at night.

Vice Chairman Erickson said he takes into consideration the environmentalist portion of the site lighting located in close proximity to the Great Swamp. Animals and amphibians that uses the area for migration can be disoriented by light. Furthermore, in his opinion a public roadway is safer when illuminated.

Mr. Friedman asked what the business hours of operation are?

Mr. Singh said currently 7:00a.m. to 8:00p.m. until approvals are granted, then they plan to extend their hours of operation. At this time they do not plan to be open 24/7.

Additional recommendations:

Vice Chairman Erickson said the subcommittee had additional recommendations on the site landscaping aesthetics.

Mr. Jobe said while the subcommittee recognizes the unique nature of the property, insofar as ingress/egress from NYS Route 22 is allowed even though a portion of the property is not owned by the applicant, but rather is part of a NYSDOT lease agreement. We have a landscaping recommendation, which we believe is in the purview of the Planning Board per code section §215-34E.

The recommendation recognizes that Mr. Singh's gas station is one of the first commercial properties encountered by motorists as they enter Pawling from north on NYS Route 22. Because we recognize it is not permissible to build any permanent structures (i.e. stone planters) on the eastern edge of the property, we recommend the installation of three (3) removable planters between the two driveway on NYS Route 22, large, but not so as to obscure motorist visions as they depart the station. Also, we recommend any additional tree plantings are selected from a recommended list (to be sent under separate cover) of native trees and/or shrubs.

Mr. Johnson said a previous site plan did approve large planters. It is not a problem not to add a few planters and plantings within the applicant parcel. The applicant is in discussion with NYSDOT to purchase the property from NYSDOT. Nonetheless, this is a very slow process with NYSDOT.

Vice Chairman Erickson asked for submission of a landscape planting plan that addresses the locations of the plantings, maintenance that the plantings are kept alive during the summer months and if plantings die, they would need to be replaced. It is important to carefully consider placement of planter locations based on motorist safety.

Mr. Bernard asked if the Board is seeking a resubmission of the free-standing sign illustrating the reduced square footage?

Mr. Liquori said the Planning Board can provide a memorandum that provides guidance on various Town regulations and a consensus of cohesive plan between the Planning Board and Zoning Board of Appeals

Vice Chairman Erickson said a memorandum summarizing the numerous area variance that falls under the ZBA jurisdiction and to outline the Planning Board recommendation set forth based on discussion this evening. The next step is to write the memorandum, to refer these recommendation to the Zoning Board of Appeals, prior to the applicant appearing before the Planning Board.

ESCROW REIMBURSEMENT

Administrative Tasks/Resolution

Town of Pawling Planning Board Recommendation for Escrow Balances
Reimbursement Town Code Chapter 95

Motion by Mr. Bernard to Move Resolution #10 of 2024

Second by Mr. Friedman Vice Chairman asked for discussion.

All were in favor and the Motion carried.

Hannaford's To Go	Site Plan	\$1,448.71
-------------------	-----------	------------

MINUTES:

Motion by Mr. Friedman to approve the minutes of March 18, 2024 and April 1, 2024 as read.

Second by Mr. Bernard. Vice Chairman Erickson asked for discussion.

All were in favor and the Motion carried.

NEW BUSINESS

i. Pawling Fire Department

Motion by Mr. Bernard to send a letter of recommendation to the Town Board to waive the Pawling Fire Department signage fee.


Second by Dr. Bloom. Vice Chairman Erickson asked for discussion.

All were in favor and the Motion carried.

ADJOURNMENT

On a Motion by Mr. Friedman and seconded by Dr. Bloom to adjourn the meeting at 8:30 p.m. All were in favor and the Motion carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "JoAnne Daley".

JoAnne Daley
Recording Secretary

non-approved minutes