TOWN OF PAWLING August 05, 2024

PLANNING BOARD Page 1

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

EXCUSED: Aaron Cioppa, Chairman and Jay Erickson Vice Chairman

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

CONTENTS: GAD Inc. Architectural Modification, Escrow Reimbursement, Minutes and New Business.

Acting Chairman Dr. Bloom said that Chairman Cioppa and Vice Chairman Mr. Erickson are unavailable this evening. He opened the meeting at 7:00p.m. And then led the salute to the flag.

 GAD INC Discussion on Architectural Updates

 1 Fenwood Drive

 Pawling, NY 12564

 Grid Number: 134089-7056-00-428399

 Mr. and Mrs. Gerard DePaoli were present.

 Acting Chairman Dr. Bloom said the property is located at 1 Fenwood Drive in the Highway Business “HB” Zoning district. The applicant is proposing to modify the material for his proposed building.

 Mr. DePaoli presented the proposed building’s colors and architectural material. He said there are two main reasons why he is requesting modification to his proposed building. The existing garage roof has decayed and is in need of replacing. The plan is to upgrade the roof material from shingles to a black metal roof for both the existing and proposed buildings. The second reason is for safety. He would like to build the pole barn using a steel structure/material and wrap three sides of the building in steel, while maintaining the front of the building (facing the road) in a wood product. The building colors will remain the same.

 Motion by Ms. Coleman to grant modification to the approved site plan to change the roof material to metal roofing and for the proposed building to be constructed with metal siding material, keeping the front of the building (facing the road) constructed with wood product.

 Second by Mr. Bernard. Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

 CORE DOWN DRILLING Discussion on Architectural Updates

7 Old Route 22

Pawling, NY 12564

 Grid Number: 134089-7055-00-387667

 Mr. Andrew Bellucci and Mr. Joseph Bellucci from Core down Drilling were present.

 Acting Chairman Dr. Bloom said the property is located at 7 Old Route 22 in the Highway Business Zoning district. The applicant is before the Board to present a modification to his approved site plan.

 Mr. Joseph Bellucci said the modification they are proposing is color changes to the approved garage building. The original color approved was a pebble beige siding with a green roof. The changes proposed is a red siding with a grey roof.

 Mr. Bernard said that during the site inspection, it was determined that the building was not visible from the road. Furthermore, the Board approved a landscape plan that added screening from any areas that were visible.

 Mr. Joseph Bellucci said the residential house located on the property was built in the 1770’s. The modified color changes fit into the character of an older farm setting/aesthetics.

 Motion by Mr. Freidman to grant the modification to building colors as presented this evening. Second by Mr. Jobe. Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

PORGES-BEYER New Application/Environmental Permit

1698-1700 NYS Route 292

Holmes, NY 12664

Grid Number: 134089-11-6857-328089

 Ms. Viviette Porges, Mr. Paul Shorr, landowners and Ms. Amie Rennolds Architect was present.

 Dr. Bloom said the property is located at 1700 NYS Route 22 in an R-1 Zoning district. The applicants are before the Board for an Environmental Permit.

 Ms. Rennolds said the applicant is proposing to demolish an existing one story two-bedroom residence and construct a 1.5 story two (2) bedroom residence on the existing footprint. The existing septic system has been inspected and is functioning properly. Being there is no increase in the bedroom count the existing septic system is assumed to be adequately size. The applicant received area variance from the Town of Pawling Zoning Board of Appeals on June 26, 2023. The work is being performed within the 100-foot buffer of Whaley Lake, therefore they require issuance of an Environmental Permit.

 Motion by Mr. Freidman to classify this application as a Type II action, according to SEQRA; therefore, no action is necessary by the Board. Second by Mr. Bernard. Acting Chairman Dr. Bloom asked for discussion.

 All were in favor and the Motion carried.

 Motion by Mr. Freidman that the Board waives Chapter 111, Freshwater, Wetlands and Watercourse Protection; Sections as per 111-6 E (4) (c) (2) - 111-6.1, 111-6. A, and 111-6.C, public hearings, referrals to outside agencies and performance bond, as recommended by Mr. Artus. The Board reviewed Chapter 171 Soil Erosion, Sediment Control and Steep slopes and then refers this permit to the Storm Manager Office for issuance of the Environmental Permit.

 Second by Mr. Coleman. Acting Chairman Dr. Bloom asked for any discussion.

 All in favor and the Motion carried.

ROBERT CHIPLEY Administrative/Time Extension

10 Chapin Lane

 Pawling, NY 12564

 Grid Number: 134089-7055-0-553971

 Mr. Greg Bernard recused himself from this application.

 Mr. Robert Chipley landowner was present.

 Acting Chairman Dr. Bloom said the property is located at 10 Chapin Lane in the Highway Business “HB” Zoning district.

 Mr. Chipley submitted a letter of request to the Board for a time extension beginning August 06, 2024 and ending August 07, 2025. The material that was located within the wetland buffer area has been moved away from the buffer zone as requested by the Board.

 Motion by Mr. Jobe to approve the time extension beginning August 06, 2024 and ending August 07, 2025. Second by Mr. Coleman.

 Acting Chairman Dr. Bloom asked for discussion. All in favor and the Motion carried.

JOHN AND DEEANN BLUMBERG Lot Line Adjustment/Resolution

63 River Road

Pawling, NY 12564

Grid Number: 134089-7057-00-217033

 134089-7057-00-170896

 Mr. and Mrs. John Blumberg landowners, and Mr. John Kalin from DC Engineering were present.

 Acting Chairman Dr. Bloom said the property is located at 63 River Road in a Residential - 2 zoning district. This application is for a Lot Line adjustment, Lot #1 is owned by Mountainview Pawling LLC., consisting of 39.436± acres, and Lot #2 is also owned by Meadowview Pawling, LLC., consisting of 32.837± acres.

 Mr. Kalin said John and DeeAnn Blumberg are the owners of both lot(s). Their intent is to create road frontage for lot #2, with a permanent driveway and utility easement thru Lot#1 to Lot #2. The total area existing for lot #1 is 39.436± acres and will be reduced to 22.0 acres, and Lot #2 is 32.837± acres and will be increased to 50.2 ± acres. The landowners are having their attorney prepare a formal easement/driveway maintenance agreement for the intended shared access, and also for the long-term maintenance of the common driveway, which shall be submitted for the Planning Board’s attorney review and acceptance prior to filing in the Dutchess County Clerk’s office.

 Mr. Bernard read into the records Resolution #16 of 2024, Lot Line Adjustment for John and DeeAnn Blumberg located at 63 River Road between tax parcels numbers 134089-7057-00-170896 and 134089-7058-00-217033 (Copy in file). Second by Mr. Jobe.

 Acting Chairman Dr. Bloom asked for discussion.

           Roll call

 Chairman Aaron Cioppa, excused

 Dr. Bloom, aye.

 Gregory Bernard, aye.

 Jay Erickson, excused

 Stephen Jobe, aye.

 Mark Friedman, aye

 Jennifer Coleman, aye

SINGH CHHINA DBL Site Plan/Resolution

 851 NYS Route 22

Pawling, NY 12564

Grid Number: 134089-7057-00-297809

 Acting Chairman Dr. Bloom said the property is located at 851 NYS Route 22 in the Highway Business “HB” Zoning district. The applicant is before the Board for reading of the resolution a Special Use Permit and Site Plan approval with conditions.

 Mr. Bernard clarified for the records whether a fence would be installed around the permanent dumpster.

 Mr. Johnson responded a fence will be installed to enclose the dumpster.

 Ms. Coleman read into the records Resolution #17 of 2024, Site Plan and Special Use Permit for SGH Chinna DBL. located at 851 NYS Route 22. Tax parcel 134089-7057-00-297809. (Copy in file). Second by Mr. Jobe.

Acting Chairman Dr. Bloom asked for discussion.

 Roll call

 Aaron Chairman Cioppa, excused

 Dr. Bloom, aye

 Gregory Bernard, aye.

 Jay Erickson, excused

 Stephen Jobe, aye.

 Mark Friedman, aye

 Jennifer Coleman, aye

VERIZON WIRELESS OF EAST LP New Application/Telecommunication Tower

124 Penny Road Co-Location

Pawling, NY 12564

Grid Number: 134089-6957-00-098800

 Mr. James LaValle from Young/Sommer LLC. was present representing Verizon Wireless of East LP d/b/a Verizon Wireless.

 Acting Chairman Dr. Bloom said the telecommunication tower is located at 124 Penny Road. Verizon Wireless is proposing to become a new co-locator. As part of the new colocator, they would install antennas and equipment on the existing communication tower facility.

 Mr. Gainer explained the tower originally received Special Use Permit and Site Plan approvals in 2015 to permit its construction. Currently, New Cingular Wireless PCS (AT&T) and T-Mobile have antennas and appurtenant base equipment in place at the facility. Similar approvals will also be necessary for this proposed colocation request. The specific improvements proposed, to be provided within the existing fenced in equipment compound at the base of the tower include the following

* Installation of nine (9) antennas, set at a centerline height of 105 feet.
* 12’-6”x 11’ concrete pad at grade.
* Appurtenant power and cellular communication cabinetry and appurtenant facilities.
* 50kw diesel emergency generator/automatic transfer switchgear.

 The current application material are lacking the following documents, as required by the applicable sections of §215-43.1 and Article VI of the Zoning ordinance. A Special use permit application and related fees should be filed by the applicant. Further, these regulations require that a Full EAF be filed. Therefore, as only short EAF has been provided to date, the applicant should re-submit a Full EAF to comply with Code requirements. Lastly, the 239GML referral can be made to Dutchess County Planning.

 Mr. Gainer continued his review of the procedural and technical comments. He said if the Board so chooses they can schedule a site inspection. A public hearing is also required for this application.

 Acting Chairman Dr. Bloom said the Board can place the applicant on the September 03, 2024 agenda to hold a Public Hearing and then for reading of an approval resolution. In the interim, the applicant can provide the revised site plan material to complete this application.

 Motion by Ms. Coleman to schedule a Public Hearing for Tuesday, September 03, 2024 and to request Mr. Gainer to prepare a final resolution. Second by Mr. Bernard. Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

 Motion by Mr. Bernard to make the 239 GML referral to Dutchess County Planning. Second by Mr. Freidman. Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

 Following discussion, the Board did not feel a site inspection was necessary for a pre-constructed Telecommunication Tower.

 Motion by Mr. Freidman to confirm that the Board will not hold a site inspection for a proposed new colocation on an existing Telecommunication Tower.

 Second by Mr. Jobe. Acting Chairman Dr. Bloom asked for discussion.

 All were in favor and the Motion carried.

TREMSON WOOD PRODUCTS Worksession/Site Plan

84 Libby Lane

Pawling, NY 12564

Grid Number: 134089-7057-00-190695

 Mr. Tyler Tremson, landowner and Mr. John Sarcone Esq. from Cermele & Wood LLP. were present.

 Acting Chairman Dr. Bloom said the property is located at 84 Libby Lane in a VRD Zoning district.

 Mr. Liquori suggested the Board make a Motion to enter into executive session.

 Motion by Mr. Freidman to enter into executive session to obtain the advice of legal counsel regarding proposed pending or current litigation. Second by Ms. Coleman.

 Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

 Motion by Mr. Friedman that no decisions were made during executive session and for the Board to come out of executive session. Second by Mr. Jobe. Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

 Acting Chairman Dr. Bloom asked Mr. Liquori to summarize the issues before the Boards to continue with this application.

 Mr. Liquori said what the Town Planning Board is attempting to do is to create an efficient method to move this Site Plan application forward. The primary issue is to re-establish the number/type of tenants based on the 2013 meeting minutes, which includes their uses and what existed on the property. The applicant’s obligations in 2013 were to itemize the number of tenants and then return to the Board for Site Plan approval. One of the goals everyone is trying to achieve is the multiple number of tenants located on the site in 2013, and then the number of tenants, which includes sub-tenants as of 2024. The multiple number of tenants needs to be analyzed by the Board to achieve the uses, subject to conformance with the Zoning Code. The next step is to identify the 2013 tenant uses, as well as the 2024 multiple tenants and sub tenant’s uses today. To achieve the conformance would be to itemize the 2013 tenants and then connect this to the number and types of tenant/sub tenants on the site in 2024. The 2013 minutes reflect one trucking company on site, and then Tremson coming onto the property for a “forestry” use. One major confusion for the Planning Board is the current number of tenants, with subtenants, and then to address an associated SEQRA determination that reflect an accurate depiction of what is going on at this site. In 2013 the former Code Enforcement Officer stated that Tremson’s primary use permitted was forestry, subject to site plan approval. Ideally, the current tenant uses need to be identified as to what is there and then to decipher tenant and/or subtenants that are not permitted as a use that are to be removed from the property. Once this is established the Board would have known conformities to understand the vehicular traffic entering and exiting the property, before moving forward with discussion on approvals. Furthermore, once the Board understands the tenant uses that conforms to the Code of the Town of Pawling Permitted Uses, the Board can make a referral to a traffic engineer. Once this step is completed the public hearing can be reconvened. He is speaking this evening to clarify acquiring this information from the applicant as to what tenants/subtenants are onsite, to clear up current confusion about the number of tenants and subtenants using this property. At this point the application can be turned over to the applicant to respond.

 Acting Chairman Dr. Bloom asked the Board members if they had any additional comments they wished to offer, before turning it over the applicant.

 Mr. Freidman said this application goes back to 2013. This Board procedurally reviews proposed property uses relating to concept discussions differently than previous Boards did in the past. The scope of this business operation has continually expanded since 2013. The applicant has not sought to complete a Site Plan approval over all these years. This application is complicated by the fact in goes back eleven (11) years in terms of formal meetings with the Planning Board. It has been a process to understand what has transpired in the past and over the years. The minutes of 2013 redirects the Planning Board to make the Site Plan more efficient. The scope of the business operation(s) that was part of the 2013 application was minimal compared to the business operation currently ongoing today. This creates a concern that Tremson Wood Products expanded the tenants/subtenants over the years, which directly relates to increased vehicular traffic.

 Acting Chairman Dr. Bloom said in 2013 there were two tenants on the property. Currently, the number and type of tenants has expanded. The applicant has not been upfront with the Board on clarifying all the tenants/with their subtenants. Why has this expansion taken place over years with disregard to the community and Town of Pawling? Dr. Bloom asked the applicant to provide documentation on all tenants/subtenants currently leasing the property or leasing as a subtenant to a business leased by Tremson Wood Products LLC. He asked for a Motion to refer the traffic study to a traffic engineer.

 Motion by Ms. Coleman to refer the traffic study to a traffic engineer, once the Board has a clear understanding of all tenants /subtenants existing on the property. Second by Mr. Bernard. Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

 Mr. Sarcone said they appreciate the time and effort the Board is putting into this application. He explained about the ongoing litigation that is based upon the fact that the Town Board wants this Site Plan process over. During the litigation, Supervisor Schmitt sat in on the negotiations to come up with a comprehensive stipulation. There is a specific court stipulation order, for everyone, including the Town. There was a lot of open questions that needed to be answered, along with a list of items provided by Hogan, Rossi and Liquori Law firm. A site plan was developed that included tenants with specific notes. He stated that no businesses are operating on Sundays, and Tremson Wood Products LLC is not selling products via retail sales. He asked the Board to review the site plan to identify if they seek additional information. In addition, they were supplied with a document that raised questions to be answered, which they completed. He is assuming the traffic study dated December 2023, is the traffic study that will be referred to a traffic engineer. Furthermore, no traffic accidents have occurred at the Corbin Road/Route 22 intersection. They asked the Fire Marshal for the traffic accidents count and he can confirm this information.

 Mr. Freidman said the Boards continual question has been about the expansion that occurred onsite over the past eleven (11) years, in conjunction with the areas of expansion and clearing.

 Mr. Sarcone responded that no expansion has occurred over the past eleven (11) years. There is no increased area of disturbance which have taken place. We can bring in an environmental engineer and forensic specialist. The bogus aerial photos that were presented are just that, bogus. They do not show and tell what was there prior to Tremson Woods Products LLC purchasing the property. Over the last eleven (11) years there has been different tenants. They are prepared to address any expansion by bringing in a specialist.

 Ms. Coleman asked currently, are there only three tenants on the entire site?

 Mr. Sarcone said the number of tenants onsite are noted on Site Plan.

 Ms. Coleman said her question addresses the number of tenants that were onsite in 2013 (three tenants), and then what is the current number of tenants/subtenants in 2024. Can you tell the Board specifically if only three (3) tenants are located onsite?

 Mr. Sarcone said they have addressed all those questions and concerns. They will be back in front of the judge in two weeks, and will report back to the judge. The judge stated in her letter *”Thank you for getting it resolved, I appreciate it. It seems like it is the best idea, in any event for both sides. So hopefully the application goes smoothly. We will see you in August”*. So far, it seems like the application is going smoothly. Tonight the confusion from the August 05, 2024 Planning Board meeting was discussed. However, Mr. Liquori has explained why.

 Mr. Liquori said in order for the Board to have clear plans to evaluate this the site, the Board should look at the 2013 minutes to understand what the tenancies were at that time. That information would be beneficial to the Board, because the legality of the tenant(s) has been a significant issue. In regards, to the tenant’s uses that are currently there and then what tenants were there is 2013. A 2024 *“statement of use”* should be updated to adequately contemplate what a normal statement of use would indicate. Not just the fact of who the tenants are, but must include the number of tenants with their subtenants and the associated number of truck and vehicle traffic trips entering and existing the site per tenant. What is the factual number of tenants/subtenants at the Tremson Woods Products site today (August 2024)? The number of tenants/subtenants effects the traffic entering and exiting Libby Lane.

 Acting Chairman Dr. Bloom said, for example, let’s be very clear. MJD Trucking is one of Tremson Wood Products LLC tenants and they are permitted to operate their business following specific court ordered hours. MJD Trucking and other tenants are not abiding by the Court order stipulation for hours of operation. MJD Trucking is not complying with the hours of operation. The Board is trying to mitigate hours of operation with the neighbors. Tremson Wood Products LLC should address these grave concerns for the Board. This is a normal procedural function of a Planning Board.

 Mr. Sarcone responded - Acting Chairman Dr. Bloom, we will certainly follow up. Nonetheless, they do disagree completely about the neighbor’s allegations. If that was true the neighbors would have reported violations to the Sheriff’s Department or New York State Troopers to enforce the hours of operation. The police would show up to say Tremson Wood Products LLC and their tenants are in violation, and you can’t work outside of the appointed court order stipulation hours of operation. There are no police reports.

 Mr. Liquori said, first of all the police do not enforce a site plan or a court order stipulation. The Town receives emails and/or phone calls with complaints that the hours of operation are not being abided by the Court Stipulation. There is documentation which contains time stamp photos of vehicles/trucks entering and exiting the site on a daily basis.

 Mr. Sarcone responded, you have time stamp photos from an illegal camera owned by Mr. Parrino, which he is going to be held accountable for.

 Mr. Parrino who was in the audience, was very upset by the remarks made by Mr. Sarcone. Mr. Parrino said he owns that property, he is the person whom pays taxes on the road. There is an easement that allows Tremson Wood Products LLC to use the road. Mr. Parrino left the meeting due to false allegations represented by Mr. Sarcone.

 Acting Chairman Dr. Bloom said to Mr. Parrino this is not the time or place to continue.

 Mr. Parrino apologized to the Board. He stated he had to excuse himself based on false information being presented, which has exceeded his expectation to ensure a fair approval process.

 Mr. Liquori continued. The comparison from the 2013 tenants up to August 2024 needs to be completed and submitted in a timely manner for the Board’s review. A thoughtful discussion on the propertied expansion in relationship to residential neighborhood to the southwest, is a forthcoming discussion to mitigate. Mr. Liquori annotated the area on the site plan for Mr. Sarcone. He said that Mr. Atkinson was not able to adequately capture the site clearing that has transpired in this area. He said to Mr. Sarcone, we knew that going in. The primary concern from the Planning Board’s perceptive is they would not have committed to allowing these cleared areas if proposed or required mitigated measures were not addressed to the residential neighbor impacts.

 Mr. Sarcone said there are no impacts to the residential neighbors. This has been addressed by a noise study. He said let us know what these impacts are and we will mitigate those impacts.

 Mr. Liquori said just because you do not violate the noise ordinance does not mean you are not creating an impact to the residential neighborhood.

 Ms. Coleman said the point is aerial photos have been submitted that might not illustrate all the cleared areas.

 Mr. Liquori said aerial photos go to a certain point, until the next aerial photos are taken. If Mr. Atkinson bubbles the clear area for the Board’s review, then that is what the applicant has to submit. Tremson Woods Products LLC. states that the cleared area will be used for large log deliveries, a holding zone until the logs are picked up to be trucked to their Brewster or other location for first grind of a mulch product. It is a transfer area. That process in itself is noisy, which relates to truck traffic, trucks backing up, apparatus being slammed. It is an impact to a residential neighborhood. A real conversation must happen about the function of the transfer area. A more thoughtful discussion should occur at the August 19th meeting with the Planning Board.

 Mr. Sarcone said he understand this is not an easy job. He know the neighbors have concerns. They will do everything they can to address the Board’s concerns.

 Ms. Coleman asked what the next step is for the Public Hearing?

 Mr. Liquori said the Public Hearing was left open because there was additional information, studies to be completed before the Board can move forward. He explained what had transpired since the February 2023 Public Hearing. The Town of Pawling and applicant must reappear before the judge on August 26, 2024.

 Motion by Ms. Coleman to reconvene the Tremson Woods Products LLC. Public Hearing on August 19, 2024. Second by Jobe. Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

ESCROW REIMBURSEMENT

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

Motion by Mr. Bernard to approve Resolution #15 of 2024. Second by Ms. Colman

 Tahini Land Company Lot Line Adjustment $2,137.72

 Apollo Group Amended Site Plan $3,532.79

 Mark & Patricia Belair Lot Line Adjustment $1,239.55

 Jamie Lintner Environmental Permit $150.00

 Nurzia Construction Subdivision $95.59

 Nathan Hume Environmental Permit $375.00

NEW BUSINESS

 i The Woods at Pawling

 Mr. Liquori said as part of The Woods of Pawling site plan, a bus shelter was proposed for the NYSDOT loop bus. Currently, NYSDOT has no plans to approve a bus stop at this time. Therefore, the applicant has submitted escrow to cover the cost of a bus shelter. A formal agreement has been prepared for the Board’s authorization and to allow Acting Chairman Dr. Bloom to sign the agreement.

 Motion by Mr. Bernard to authorize Acting Chairman Dr. Bloom’s execution of the agreement and establishment of an escrow account for the bus shelter.

 Second by Ms. Coleman. Acting Chairman Dr. Bloom asked for discussion.

 All were in favor and the Motion carried.

ii. Town Law 271 - Assignment of Chairman to the Planning Board

 Motion by Ms. Coleman that the Board acknowledges Dr. Bloom as a deputy Chair to the Planning Board

 Second by Mr. Jobe

 All were in favor and the Motion carried.

iii. 158 Route 22

 The Board discussed their concerns with the ongoing violations at this site, and how this relates to signing off on the Site Plan.

 Mr. Liquori explained that the role of the Code Enforcement Officer’s authority is to issue a violation notice The Planning Board does not have enforcement authority.

 Mr. Bernard asked if the letter from Tilcon and the applicant are viable to ensure the site is cleaned up to its former conditions? Mr. White spoke with the landowner, and since t hen the landowner continues to bring in millings.

 Mr. Liquori reiterated the Board does not have any authority over enforcement.

 Ms. Coleman said this is information very informative for the public to understand. The Planning Board is not an enforcement board. However frustrating it is for the Board members, and however hard the Board works for the betterment of the community, if a violation occurs on site it is in the sole discretion of the Code Enforcement Officer.

 Mr. Liquori said the members of the Board can speak with the CEO. This comes down to a code enforcement officer’s authority. The Board is opening themselves up to future litigation.

 Acting Chairman Dr. Bloom will request a ruling on the 158 Route 22 site conditions by Mr. White, CEO and then read the email correspondence. He cannot not sign the documents simply because board members are not happy. Mr. Friedman agreed with Acting Dr. Bloom to follow up with a request for a ruling on the 158 Route 22 project by Mr. White CEO, and then read the email correspondence.

iv. Ingersoll Auto of Pawling

 Mr. Bernard said Ingersoll’s Auto of Pawling did not appear before the Planning Board for a Site Plan time extension. They are currently working on site with no erosion control measures in place. He recommends a referral letter be written to Mr. White CEO to review the site plan and then follow up with the business owners.

 Motion by Ms. Coleman to write a letter to Mr. White CEO stating the applicant did not seek a time extension for their Site Plan, along with the fact that there is a site work violation occurring.

 Second by Mr. Freidman Acting Chairman Dr. Bloom asked for discussion. All were in favor and the Motion carried.

ADJOURNMENT

 On a Motion by Mrs. Coleman and seconded by Mr. Jobe to adjourn the meeting at 9:10 p.m. All were in favor and the Motion carried.

 Respectfully submitted,

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 JoAnne Daley

 Recording Secretary

non-approved minutes