TOWN OF PAWLING FEBRUARY 18, 2025

PLANNING BOARD Page 1

PRESENT: Aaron Cioppa Chairman, Jay Erickson Vice Chairman, Gregory Bernard, Steven Jobe, Mark Friedman, and Jennifer Coleman.

EXCUSED: Dr. Thomas Bloom

ALSO PRESENT: Mike Liquori Esq. and Brendan Liberati Esq. from the firm of Hogan, Rossi and Liquori LLP.

CONTENTS: John and DeeAnn Blumberg Lot Line Adjustment, Mima’s Pizza & Pasta Signage, Crystal Park- Thomas Chen Site Plan, Tremson Wood Products LLC Site Plan, Minutes and New Business.

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

JOHN AND DEANN BLUMBERG Administrative/Time Extension

63 River Road

Pawling, NY 12564

Grid Number: 134089-7057- 00-170896

134089-7058-00-217033

Mr. John Kalin was present representing

Chairman Cioppa said the Blumberg property is located at 63 River Road. This application has a few remaining items to resolve before the Mylar can be filed with the County Clerk’s office. They are in the process of working with their attorney to resolve the driveway access and maintenance easement agreement. The Board is in receipt of a letter dated January 22, 2025 from Mr. Kalin P.E. requesting a ninety-day time extension.

Mr. Kalin said they continue to finalize the driveway access and maintenance agreement. This issue will be resolved relatively soon. Nonetheless, the applicant requires a time extension.

Motion by Mr. Erickson to grant John and DeAnn Blumberg a 180-day time extension beginning February 3, 2025 and ending July 3, 2025.

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

All in favor and the Motion carried.

Starkdale Park Letters – Summary of Material to Town Board Board Discussion

Chairman Cioppa said the Board is in receipt of two (2) Starkdale Farms letters, one being a “Summary Material for the Town Board” letter from SLR Engineering, and the Planning Board’s draft letter assembled by Ron Gainer. The applicant has appeared before the Planning Board on multiple occasions, most recently January 6, 2025, when they discussed their re-zone request. The letters are meant to assist the Town Board in their decision-making process, by taking the opportunity to make them aware of discussions held with the applicant. The SLR letter provides guidance on procedural process for rezone petition, identifies substantive questions related to the applicant’s current proposal and project information related to technical questions, actions to consider regardless of the TB ‘s decisions regarding the zone change, fiscal and feasibility studies needed, and actions for a Pawling working group meeting,

Following discussion, the consensus of the Board was to authorize both letters being sent to the Town Board.

MIMA’S PIZZA & PASTA New Application/Signage

145 Route 22

Pawling, NY 12564

Grid Number: 134089-7056-00-445030

Mr. Mario Guaillazue, business owner was present.

Chairman Cioppa said the business is located in Dutchess Court Plaza building, 145 Route 22 in the Highway Business Zoning district.

Mr. Guaillazue said he is opening a restaurant. He submitted the proposed illustrated signage for the building and directory sign.

The Board reviewed the illustrated drawings for the building and directory signs. The new sign will replace the existing sign by removing the old panel and inserting a new panel, as well as the road signage /directory sign slot located along NYS Route 22.

Motion by Mr. Freidman to grant Mario Guaillazue the building and directory signage as presented.

Second by Ms. Coleman. Chairman Cioppa asked for discussion.

All in favor and the Motion carried.

CRYSTAL PARK New Application/Site Plan

Thomas Chen

168 South White Rock Road

Holmes, NY 12531

Grid Number: 134089-6755-00-846788

Ms. Dawn McKenzie from Insite Engineering and Mr. Curt Johnson from JPL Design group was present.

Chairman Cioppa said the Crystal Park -Thomas Chen property is located at 134 South White Rock Road, consisting of 137.6 ±acres in an R-3 Zoning District. On the northern side of the property, the frontage runs along the south side of South White Rock Road. The eastern side of the property runs along the west side of South Road. The southwest corner of the property lies within the Town of Beekman. The representatives this evening are presenting a site plan to obtain feedback from the Board.

Ms. McKenzie presented an illustrated drawing of the Crystal Park Master Site Plan. The Masterplan includes the following items:

* Current Conditions at the park.
* Proposed features including sculptures/art installations.
* Existing features that need additional work as part of an existing building permit.
* Existing features that will need wetland/environmental permitting from the Town and NYSDEC before obtaining permits for the repair work.
* The location of a garage that burned down that the owner would like to replace “in kind”.
* The location of the dam remediation work to be conducted as part of a Consent Order from the New York State Department of Environmental Conservation (NYSDEC).

The property contains some large gardens, animal pens, sculptures and existing metal access gates to enter the property that are located off of both South White Rock Road and South Road. Mr. Johnson has been working with the Building Department on several pre-existing violations. These are structure violations. He can provide the Board more details. Insite Engineering developed the proposed site plan.

In 2016, Crystal Park was issued a wetland violation from New York State Environmental Conservation (NYSDEC). The water level of the lake is controlled by a dam which has been in place on the property. The landowner increased the water level, which overflowed into (2) two wetlands (Freshwater Wetland PQ-33). The dam was discovered by NYSDEC Dam Safety Section and thereafter registered as DEC Dam ID #230-5938. Insite Engineering worked with the applicant on an Order of Consent, which includes a wetland remediation plan that has been approved by NYSDEC.

Chairman Cioppa asked to clarify the purpose of tonight’s presentation.

Mr. Johnson said he has been working with the Building Department for the past several years on the outstanding violations. Previously, the Planning Board asked for a site plan that addresses Principal Uses, Special Uses and Accessory Uses permitted in the R-3 Zoning district.

Chairman Cioppa said only (2) two Board members were on the Board during the initial discussions held with Crystal Park. He asked currently what activities or improvement have been going on at this property?

Mr. Johnson said the goal is begin discussion as to what is transpiring at the Park to acquire a Master Plan approval.

Chairman Cioppa asked several questions - is the park open to the public? What exactly is the property being used for? Is it for public viewing?

Mr. Johnson said the park is not open to the public. Mr. Chen invites individuals/guests to come to the park to enjoy nature and the sculptures. This is his personal property for enjoyment. His employees from the city come to the property.

Chairman Cioppa said the Town has received numerous complaints of large buses filled with 60 or more individuals coming to the property. These individuals are dropped off on South White Rock Road. This road is narrow and windy, and a large bus traversing the road creates dangerous traffic conditions.

Mr. John Sarcone, Esq. was sitting in the audience. At this point he came up to the podium to inform the Board that he represents Mr. Chen as general counsel. He explained that there is a litigation matter going on with Mr. Chen and Crystal Park.

Chairman Cioppa asked for an explanation on whom and why Mr. Chen – Crystal Park is in litigation?

Mr. Sarcone responded that Mr. Chen – Crystal Park is in litigation with Allstate Insurance Company. He wants to make it clear that Mr. Chen’s residence is private. The individuals coming to visit are guests and family members.

Chairman Cioppa responded that he personally has viewed large buses of individuals coming to Crystal Park. Mr. Chen, as the landowner, brings in large buses traversing South White Rock Road with large groups of individuals to the site. The Board will be requiring further studies, such as traffic and environmental. Furthermore, there are pre-existing violations on the property. Today, the Planning Board received an email from Everett White, Code Enforcement Officer on the matter.

Chairman Cioppa read Mr. White’s email into the records:

*“The property owned by Thomas Chen, located at 134 South White Rock Road in Holmes has numerous open permits and unresolved violations on the property. Such as the existing deck for the Quonset hut and the existing elevated walkway. Our office will not be issuing permits or conducting inspections until these issues are addressed.”*

Chairman Cioppa said the property is located in a Residential R-3 zone. The landowner has commercial buses filled with individuals coming to spend time viewing sculptures while enjoying outdoor activities. The Board requires clarification on the principal uses, special uses and accessory uses for a Residential 3, R3 zoning district.

Mr. Johnson said pursuant to the Code of the Town of Pawling - Permitted uses, the applicant is seeking to apply for a “Private Club”.

Ms. Mackenzie explained the reason they are here this evening is to begin a conversation on the permitted uses. She asked what the Board needs from them?

Vice Chairman Erickson said, for the record, the first aspect of this project is that the Planning Board does not deal with violations. Violations are handled by the Building Department, the Code Enforcement Officer. If a landowner seeks to use their private residence, it is not the Planning Board’s purview as long as it’s use falls within the Code of the Town of Pawling. If a landowner’s use falls under the Town’s schedule of Permitted Uses for an R-3 Zoning district, then this Board needs to understand what they are applying for under a Special Use Permit. He asked what are the proposed uses for this property?

Mr. Johnson said they are trying to work with the Board to identify what activities can be done on the property.

Ms. Coleman said the Planning Board needs to have a defined definition of what the owner is applying for. For example, the number of attendees, hours of operation, number and types of vehicles, parking accommodations, dates that facility is opened. It sounds like the owner does not have a clear vision for a master plan of the entire property.

Mr. Freidman said the Code of the Town of Pawling is clear as to what is allowable for Permitted/Special Uses in a Residential 3 - zoning district. He recommends that the applicant provide the Board with a clear detailed narrative on the proposed scope of the project.

Mr. Liquori said the classification of the “use” is made by the Code Enforcement Officer. Once the narrative is submitted, it is necessary for the CEO to make the first determination as to whether the use is permitted. It has ben a few years since he has had any interaction with the Town and Mr. Chen-Crystal Park.

Ms. Mackenzie interrupted Mr. Liquori. They thanked the Board for their time and said they were going to leave the meeting.

Vice Chairman Erickson explained that the Planning Board has procedures that must be adhered to for all applications. This begins with providing a narrative on the scope of the project, a “statement of use” outlining the applicant’s compliance with the Code of the Town of Pawling Permitted uses, Special and Accessory Uses for the Residential-3, R3 Zoning district.

Mr. Sarcone apologized to the Board for the interruption. His client is in Taiwan, and he will be meeting with him next week.

TREMSON WOOD PRODUCTS LLC Further Discussion/Site Plan

84 Libby Lane

Pawling, NY 12564

Grid Number: 134089-7057-00-190695

Mr. Tyler Tremblay, landowner, Mr. Todd Atkinson P.E. and Mr. John Sarcone Esq. from Cermele & Wood LLP were present.

Chairman Cioppa said the property is located at 84 Libby Lane, consisting of 27.87 acres in the VRD Zoning district.

Mr. Sarcone said they are before the Board for discussion on the updated site plan with revisions and the traffic analysis. Their traffic consultant could not make the meeting this evening. He handed the Board members, Phil Grealy’s, PH.D. P.E. traffic consultant response letter. He understood this is a submission being made during a meeting, not according to the meeting submission dates and so the Board would not have time to review the document.

Mr. Atkinson said the revisions made to the site plan are an aerial from GoogleEarth dated September 2024. The summary of uses was developed by Tremson staff and himself. The tree debris located on the berms to the west and north property lines were removed from the site in accordance with a NYSDEC tree debris removal plan. An inspection was completed by Ian McConnell of the NYSDEC Solid Waste Management Department on January 24, 2025. We are waiting for final correspondence from NYSDEC. The wetland delineation approved by Sarah Pawliczak of the NYSDEC was added to the plans illustrating the 100-foot buffer area. The soil berms will be hydro-seeded. This time of year does not lend itself to allow for hydro seeding. They plan is to revisit hydro-seeding in the spring. A NYSDEC mulching facility application has been submitted to NYSDEC. The four established tenant sites were delineated on the site plan.

A statement of use dated January 31, 2025 that was submitted to the Board includes the tenant information as follows:

* Trucking terminal within an areas of 2.13± acres. No name provided.
* Tremson Wood Products LLC.- Tremson Corporation
* MJD Trucking
* T & A
* Woodland Manor

Two established areas are for Tremson Wood Products to perform its operations. The applicant will delineate the perimeter of the other two tenants with large boulders, fencing and/or 6 x 6 posts mounted vertically, and any operation performed outside of those areas will be in direct violation of the site plan.

Chairman Cioppa said the Board has discussed mitigation for the berm to address noise.

Mr. Atkinson said the wood debris was removed. The soil berm creates a noise barrier. Mr. Gainer and he discussed the possibility to bring in additional fill to increase the berm area.

Mr. Bernard asked what is the difference of the berm height from the removal of the tree debris?

Mr. Atkinson said the berm is a foot higher in several areas. The dirt berm helps with the noise mitigation because of the voids.

Vice Chairman Erickson asked if the berm, as is, provides adequate noise mitigation? The Board would like to discuss potential mitigation as far as bringing in additional soils and/or landscaped screening.

Mr. Atkinson said he spoke with Mr. Gainer on additional berm stabilization, with landscape screening mitigation. If trees are planted on the top of the berm, it will block the view. Based on these facts it would be beneficial for the Board to attend a site walk.

Chairman Cioppa suggested different types of tree or shrub plantings on top of the berm.

Vice Chairman Erickson said a typical tree canopy is 60 feet. Mr. Artus captured the stabilization and screening proposal in his memorandum. The slope will be required to be stabilized at such time as seasonal conditions allow. Typically, a desirable screening method to mitigate a visual and noise impact would be the planting of a staggered line of coniferous trees (evergreen trees), examples being a variation of pines, spruce etc. Vice Chairman Erickson said the Board is aware of the items that require mitigation. The main items for consideration are visual, noise and traffic impacts. Based on what Mr. Atkinson says there is no visual impacts.

Chairman Cioppa said he has been to Holiday Street three (3) times, and he said there is a visual impact to the neighbors. What you see from Holiday Street are two different views. Holiday Street looks down onto Tremson’s property. The view from Libby Lane is from a lower elevation.

Mr. Tremblay said the areas of higher elevation can view parts of the Tremson Wood Products LLC site. There is a difference viewing MJD Trucking and the Tremson area.

Mr. Sarcone said they will do what ever it takes to mitigate with the Board. He presented a photo from Holiday Street to the board. He stated that he shot the berm with a laser, and the berm is not 100 feet in height.

Mr. Freidman asked on what the side of the property the laser was shot. What is the difference in elevation?

Mr. Sarcone responded the berm was shot on the Tremson side.

Vice Chairman Erickson reviewed the elevation difference. He explained that if someone is at (elevation) 460 or 480, they are viewing into the knoll of MJD Trucking.

Chairman Cioppa said he has witnessed the noise coming from Tremson Wood Products LLC. The noise is not coming from MJD Trucking. He asked what the next steps are?

Mr. Sarcone invited the Board to make a site inspection at Tremson Wood Products LLC. and Holiday Street. We are asking for a special meeting to discuss conditional site plan approval, “conditional” meaning if the Board requests mitigation and conditions they are will to do. They are willing to work/comply with the Board on site plan approval. Then they can go back to the Judge/Court to ask for consent to extend the litigation without prejudice.

Mr. Liquori said there is a deadline of February 28, 2025 for the exchange of discovery, and March 6 is a compliance conference. An extension has been given to the Courts.

Vice Chairman Cioppa said the Board chooses to extend the litigation.

Mr. Liquori said if the Board so chooses to request a one-month extension for the Tremson litigation from the judge.

Mr. Sarcone said they want to work with the Town. They will submit the letter to the court and his client will request to extend their shot clock.

Ms. Coleman said the Board has to address noise and visual impacts along with traffic study.

Mr. Freidman said the applicant must also address the stabilization of the berm. There is concern that the proposed hydro-seeding might not be appropriate to stabilize the berm. The Board has to mitigate viable landscape screening and sound control.

Mr. Liquori said he spoke with Mr. Artus. The civil engineering portion of Mr. Artus memorandum would be reviewed for technical and statutory items by Mr. Gainer. It is important that he point this out for everyone’s understanding on the engineering components of the berm.

Vice Chairman Erickson said the Board requires a landscape and noise litigation plan to be submitted. He has been researching remote monitoring systems for noise mitigation. He is open to installing a remote noise monitoring system. The approval would consist of hours of operation. For example, if the hours of operation approved are 8:00a.m. to 4:00p.m. and the machinery starts running at 7:30a.m. or after 4:00p.m., then the Town Code Enforcement Office can easily understand Tremson Wood Products LLC is not operating their business within the approved site plan. He asked the landowners if they would be open to installing a monitoring system. There are controls within the system that the algorithms can be programmed to address specific noise, such as the train, highway department, etc. If we approve an actual system, then that eliminates any type of complaints, because the actual noise decibel is continuously monitored at the property line. The data can then be read by the CEO. The data and science will be valuable to the Town to monitor the site on an ongoing basis.

Mr. Sarcone asked Mr. Erickson to send him the information; they will look into it. We are not saying “no”.

Mr. Bernard clarified for the record that Tremson Wood Products LLC uses several different machines for the grinding. Obviously, the larger grinder onsite is much louder than the grinding machine used for second grinding. The Board’s objective is to only allow second grinding on site, to meet the Code of the Town of Pawling’s performance standards.

Following conversation, the Board agreed to an open meeting site inspection that would be publicly noticed.

Mr. Tremblay said Tremson Wood Products LLC had performed the traffic study, and then Creighton Manning reviewed their traffic study on behalf of the Board.

Mr. Ken Wersted, The Board’s traffic consultant, spoke on the material reviewed. He summarized Colliers Engineering’s memorandum for the Board:

* *The peak hours of the Corbin/Libby intersection were generally 7 to 8 am and 3:45 to 4:45 pm. A PM peak hour summary sheet is missing from the turning movement count attachments, but the data is summarized in the 6:30 am to 6:30 pm summary sheet (page 2). The Existing Traffic Volumes (see Figures 2, 3) accurately reflect the traffic counts collected. The data also indicates that of the trucks entering/exiting Libby Lane, 33% travel to/from the west on Corbin Road, while 67% travel to/from the east, originating from, the Corbin Road/Rt 22 intersection.*
* *Based on the November 2023 traffic counts, Corbin Road carries a weekday average of about 1,763 vehicles, the traffic evaluation doesn’t mention the intersection level of service, but it was completed for the Corbin Road/Libby Lane intersection. The analysis indicates that stop sign approach of Libby Lane operates at Level of Service (LOS) A – this is on a scale of “A” (short delays) to “F” (long delays). This is reflective of the November 2023 conditions studied. We don’t anticipate there to be any significant delays at this intersection in the peak season.*
* *Over the course of about 5.5 years (68 months), there have been 11 crashes that occurred at the Rt 22/Corbin Road/Old Rt 22 intersection, mainly rear-end crashes (36%), followed by left turn crashes (27%), Only two crashes resulted in an injury (22%). The rest (78%) were minor enough to have only resulted in property damage. The report should indicate if any of these crashes involved trucks.*

*Tremson’s preferred route truck route is as follows:*

* *Tremson indicates that their preferred truck route is west on Corbin to West Dover, then north to River Road, east to Rt 22. This route brings trucks out to a 90° intersection with a NB left turn lane on Rt 22 – a condition more conducive to accommodating trucks - but is more circuitous and passes through more residential areas than Corbin Road directly to Rt 22. Regionally, the least impact from the project would be realized by utilizing Corbin Road to Rt 22 as most trucks presently do. This avoids residential areas and reduces impacts from truck noise. The intersection of Corbin Road and Rt 22 presents safety challenges given the approach grade and intersecting angle as voiced by residents. Specifically, trucks making NB left turns and EB right turns to/from the south on Rt 22 appear to off-track into oncoming lanes and the opposite shoulder of the road (see truck movements Image 1, 2). Note these templates are just examples using the smallest of tractor trailers, an analysis of the actual truck sizes should be performed. It’s unknown what the distribution of trucks is once they reach Rt 22 but traveling to/and from the south connects to other state roads leading to Danbury, Brewster, Fishkill, and Poughkeepsie.*

*The applicant should evaluate the Rt 22/Corbin Rd intersection and consider/investigate the following potential mitigation measures:*

* *Turn restrictions at Rt 22/Corbin Road on the Corbin Rd eastbound right and Rt 22 northbound left movements. Southbound movements could be accommodated by making a left turn of Corbin Rd, traveling north on Rt 22 and using the trailhead/parking area 1.35 miles north to make u-turns. Radius improvements and NYSDOT review/approval may be needed.*
* *Create and northbound jug handle at the intersection of Rt 22/River Road to accommodate northbound to southbound u-turns (See Image 3).*
* *Extend access from the Pawling Highway Department property south into the Tremson site, providing access to the 90° intersection of Rt 22/River Road intersection. Allow for cross access so that highway department and transfer station trucks can avoid River Road and the Corbin Rd intersection if needed.*
* *Straighten the EB approach of Corbin into Rt 22 and create a 90° intersection; elevate the approach grade to approximately 10 to 12% (See blue alignment, Image 5). Coordinate with the Village, School District, and NYSDOT.*
* *Create a “Y” approach leg to the south for use by cars/trucks to and from the south – a grade of 8 to 11%. See red alignment (Image 5). Coordinate with the Village, School District, and NYSDOT.*
* *Widen Rt 22 northbound to shift traffic to the east to accommodate a wider Rt 22 cross-section that would allow a northbound left turn lane/turn movement and a wide eastbound right turn movement with no/less cross tra*cking into oncoming lanes (See Image 5). Coordinate with NYSDOT.

Mr. Wersted said the applicant has responded to our comments this evening. Unfortunately, the responses were only submitted this evening, and the Board has had no time to review them.

Vice Chairman Erickson said several options have been provided to consider potential traffic mitigation efforts. He asked what is Mr. Wersted’s primary recommendation for action by the Board?

Mr. Wersted said he does not feel the Board could force the Village or school to allow the applicant to purchase property to reconfigure a safer truck route onto Route 22 from Corbin Road. The Town of Pawling has control over the Town’s Highway Department. This could be the most viable option to establish a safe traffic route by removing the large trucks and vehicles from using Corbin Route to access NYS Route 22 or to work with NYSDOT on turning restrictions. His analysis provides shoulder widths along Route 22. He would like the applicant to illustrate how a tractor trailer could safely turn onto NYS Route 22.

Mr. Bernard said there are no safe options for a tractor trailer to make southbound movements entering or exiting south on Corbin Road safely. The nose of a truck with oncoming traffic is on Route 22 when going north. They are not going to illustrate these configurations to the Board. Mr. Bernard said that tractor trailers have the option to exit Corbin Road north, then head up to the rest area on Route 22 so as to turn around to head south.

Mr. Friedman asked Mr. Wersted if he could provide an analysis on the volume of cars Libby Lane and Corbin Road.

Mr. Wersted said it is not the volume of cars traversing Corbin Road. It is the actual angled intersection that is the critical issue for traffic. An analysis of Corbin Road and Route 22 intersection was not completed by the applicant.

Vice Chairman Erickson said motorists do not like the angled turn at Route 22 onto or off of Corbin Lane. The longer-term resolution would be work with NYSDOT to reconfigure the intersection. A consideration for the short term is to install a sign that states “NO right turns” to address motorist safety.

Mr. Bernard said one option for Board is to revisit the Town allowing Tremson to access River Road directly through the Highway Department property, and thus minimize truck traffic on Corbin Road. In April of 2023 a site inspection was conducted with Town representatives to evaluate this request and establish, under what requirements, such a request should be considered. Corbin Road has such geometry and grades at the Route 22 intersection, and residents along Holiday Court and Corbin Road expressed safety concerns.

Vice Chairman Erickson asked how this arrangement would be a benefit to the Town.

Mr. Liquori said the criteria discussed by the Town had a few options for consideration. The Tremson driveway to River Road would have to be entirely separate from the Town’s driveway and the town’s site operations, including the Town’s recycling program. To ascertain the feasibility the NYSDEC wetlands limits should be accurately field staked and boundary surveyed. The Town lot boundary as well as the common boundary with the Tremson parcel should be field staked. A municipality cannot benefit a landowner without consideration of technical and statutory items. They cannot simply give a landowner an easement without a written agreement. No gifts are allowed. The Planning Board requirements could suggest “no right turn”. The applicant would have to consider if the cost outweighs the benefit. Then the applicant can seriously consider an easement through the Town highway garage property, which results in a better business plan for long term cost for their tenants - MJD trucking, FAS landscaping and Tremson Wood Products. These are options for the Board’s consideration to make it work.

Vice Chairman Erickson said the Board needs to come to terms with the uses relating to the Code Enforcement Officer determination for uses in a Variable Residential Zoning district.

Mr. Liquori said Mr. White, CEO provided the board a memorandum dated December 16, 2025. It was determined that T & A Contracting falls under a “general contracting business”. Neither “General Contractor” nor “Contractors Yard” are listed as a permitted use in Chapter 215 in the VRD district in which the property lies. Per §215-14 Outdoor vehicle storage trailers are not permitted to be parked or stored on the properties for more than 7 days. The use of this area by T & A Construction violates Chapter §215-47 as the use is operating without receipt of site plan approval. There is an identifiable footprint of what transpired on the property compared to now. In 2013 only landscape companies existed on the property.

Vice Chairman Erickson said MJD Trucking clearly expanded their footprint since 2013. MJD’s expansion of their operation violates Chapter § 215-33 A (1), which prohibits the expansion of non-conforming uses, and Chapter §215-47 for expanding without receipt of Site Plan approval. What is the path to resolution?

Mr. Liquori said MJD Trucking will have to reduce their expanded footprint back to the 2013 footprint. T & a is not a permitted use, it is not a landscape company.

Vice Chairman Erickson said - does applicant understand, T & A will be given a grace period by the Planning Board to find another location for their business, and subtenant business. MJD Trucking footprint will be required to be reduced to the 2013 limits.

Mr. Sarcone said they don’t agree with the CEO’s determination. Nonetheless, T & will be notified that they will no longer be a tenant of Tremson Wood Products LLC. He said the plan to be submitted will reflect the uses in 2014.

Mr. Tremblay said this will result in eviction of his tenants.

Chairman Cioppa said there would be a grace period giving the tenants a time period to find other operating locations. He requested a 2014 overlay plan to be submitted.

Mr. Tremblay said the plans are cleaner than they been in the past.

Mr. Atkinson said MJD’s mafia block bins were not installed in 2014. They were installed between July 2024 and the end of the year. It will be established that MJD Trucking will have to remove the mafia block aggregate bins.

Vice Chairman Erickson said the decibel monitoring noise system for decibel noise is called NTI audio noise scout, unattended audio. He requested that the applicants and their representative look into this monitoring system as part of a condition of approval.

Chairman Cioppa scheduled the site inspection for February 27, 2025 at 3:30p.m. A notice will be placed in the local paper and on the Town website.

The Planning Board reschedule the March meeting date. The meetings of March 3rd and 17th were cancelled. The Board will meet on March 10th, 2025.

MINUTES:

Motion by Ms. Coleman to approve the minutes of January 06, 2025as read.

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

All were in favor and the Motion carried.

ADJOURNMENT

On a Motion by Ms. Coleman and seconded by Mr. Freidman to adjourn the meeting at 9:00 p.m. All were in favor and the Motion carried.

Respectfully submitted,

****

JoAnne Daley

Recording Secretary

non-approved minutes