TOWN OF PAWLING December 02, 2024

PLANNING BOARD Page 1

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

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

CONTENTS: Tremson Wood Products LLC. Site Plan, Elizabeth O’Raffity/Robert Natal Environmental Permit, Dylan & Regina Pignatelli Environmental Permit, Minutes and New Business.

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

# TREMSON WOOD PRODUCTS LLC Worksession/Site Plan

84 Libby Lane

Pawling, NY 12564

Grid Number: 134089-7057-00-190695

Chairman Cioppa said Tremson Wood Products is located at 84 Libby Lane. He asked Mike Liquori Esq. to provide a brief update to the Board.

Mr. Liquori Esq said the Board has reviewed a comprehensive response that was sent to Tremson Wood Products LLC by their counsel. The memorandum was received on November 16, 2024, and the applicants plan to make a submission in a timely manner for the December 16, 2024. For the record, Tremson Wood Products has consented to extend the time extension for the PB to act on Tremson’s application for 60 days beyond the December 18, 2024 deadline currently in place.

Following discussion, the Board agreed to start the meeting of December 16, 2024 at 6:00p.m. Tremson Wood Products LLC application will be placed on the agenda.

# ELIZABETH O’RAFFITY Administrative/Environmental Permit

# ROBERT NATEL

3 Dutchess Drive

Holmes, NY 12564

Grid Number 134089-6855-13-167478

Chairman Cioppa said the property is located at 3 Dutchess Lake. The subject parcel contains 0.42± acres of land. The parcel is encumbered by the one hundred (100) foot wetland control buffer of Lake Dutchess. It is within the New York City East of Hudson Watershed, which is subject to enhanced regulatory requirements.

The applicant is proposing to construct a seven (7) foot by thirteen (13) foot entry/mudroom addition to the front of the existing residence and a low height deck to the side of the existing residence. All of the proposed improvements will be located within the one-hundred (100) foot control buffer. The applicant appeared before the ZBA on November 25, 2024, and has been granted the necessary area variance. As per the recommendation of Mr. Artus, environmental director, the Board can make a referral to the Town of Pawling Stormwater Management Officer for issuance of an environmental permit.

Motion by Ms. Coleman 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 refers this environmental permit to the Stormwater Management Office for issuance of the Environmental Permit.

Second by Dr. Bloom. Chairman Cioppa asked for any discussion.

All in favor and the Motion carried.

DYLAN & REGINA PIGNATELLI Environmental Permit

Old Route 22

Pawling, NY 12564

Grid Number: 134089-7057-00-352685

Mr. Michael Gillespie from the firm of M. Gillespie & Associates, Jim, Regina and Dylan Pignatelli landowners were present.

Chairman Cioppa said the property is located at Old Route 22, consisting of 13.95± acres in an R-1 Zoning District. The applicant intends to construct a single-family residence. They have completed Dutchess County Board of Health approvals for a sanitary sewer disposal system and on-site well. The environmental permit application was referred to the Planning Board by Everett White, CEO/SMO and Walter Artus, Environmental Director. This evening the Board is in receipt of a narrative, application package and Mr. Artus’s memorandums.

Mr. Gillespie said there are a few watercourses that run through the property. The applicant’s intent is to construct a single-family home. They had some dialog with Mr. Artus. The length of the driveway is over nine hundred fifty (950) feet in length. The property has some significant grades over 25%. It is also noted that the proposed grading for the driveway is at a 2:1 slope. A 3:1 slope is more desirable for stabilization purposes, but would also result in additional land disturbance. Slope stabilization of the proposed grading would require erosion control matting.

Mr. Bernard asked if the DCBOH approved the onsite material, or would material have to be brought in for the construction of the sanitary sewer disposal system (SSDS)?

Mr. Gillespie responded the onsite material does not meet the DCBOH requirements. Material (sand and gravel) would have to be brought in for construction of the SSDS.

Mr. Erickson asked what is the driveway’s steepest grade?

Mr. Gillespie said they illustrate a driveway grade of 15%. The Code of the Town of Pawling reads driveway grade are approved at 10%. Nonetheless, to construct a driveway, a 15% grade would be required to keep the grading at a minimum. The Applicant has to provide emergency pullovers and areas for snow removal.

Chairman Cioppa explained that the Board will make a referral to the Fire Marshall, after the Town Engineer, Mr. Gainer, completes his review and when the site plans are adequate for a formal review. Mr. Everett White CEO/SMO has deemed this a “large scale project/major project”. It was his recommendation to refer the Environmental Permit application to the Planning Board and Zoning Board of Appeals, if warranted, as per Chapter 171 *Soil Erosion and Sediment Control and Steep Slope Protection*, Section 171-5.

Mr. Freidman said one question concerns the NYS Law-NYSDEC changes in the legislation that have occurred relating to wetland, watercourses and vernal pools.

Mr. Gainer said during the time he performs a site inspection, the visual observation of wetland and watercourses on site will be observed. Mr. Artus has raised these concerns in his memorandum relating to the intermittent streams located on this site. Before he goes out to the site, he will speak with Mr. Artus.

Mr. Liquori, Esq. said the 6 NYCRR Part 664, Freshwater Wetlands Jurisdiction and Classification criteria is changing. The proposed rulemaking would amend 6 NYCRR Part 664, Freshwater Wetlands Maps and Classification regulations to implement amendments to the Freshwater Wetlands Act that take effect January 1, 2025. The rule making would define key terms, improve the freshwater wetland classification system, establish criteria for the identification of Wetlands of Unusual Importance, and establish procedures related to jurisdictional determinations.  The following criteria will come in effect as follows:

1. January 1, 2025 - Small wetlands of "unusual importance" will be regulated by DEC if they meet one of 11 newly established criteria listed in the new legislation.
2. January 1, 2028 - The default size threshold of DEC-regulated wetlands will decrease from 12.4 acres to 7.4 acres. Small wetlands of "unusual importance" will continue to be regulated if they meet one of the criteria listed in the new legislation.

The Board will have to amend application procedures in the future to deal with the new regulations.

Mr. Erickson said the Board can schedule an educational work session on this topic to be informed on the NYSDEC new regulation.

Mr. Freidman said these types of wetlands have to be delineated in the spring. This puts applicants in a waiting period to have studies completed

Mr. Erickson said the biggest issue for the Board in this application is the steepness of the driveway, along with required stormwater infrastructure for proper drainage. This will be a crucial component of this project. Two years ago the Town experienced over eight inches of rain in a short time period. The areas of Town with steeply sloped areas had stormwater runoff that caused an adverse effect to our local community. Therefore, some type of mitigation must be implemented to avoid potential damage from what is currently being proposed.

Chairman Cioppa said the Board can take the next step by making a Motion to refer this application to Mr. Gainer, Town Engineer to begin his review.

Motion by Mr. Jobe to appoint Ron Gainer as Engineer for the Pignatelli Environmental Permit project and allow the applicant’s engineer to work with Mr. Gainer subject to:

* The Planning Board/office is kept informed of all correspondence and phone calls between the applicant and Town Engineer.

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

All were in favor and the Motion carried.

NEW BUSINESS

i. Route 22- Traffic and Pedestrian Safety Letter

Chairman Cioppa introduced the traffic and pedestrian letter that has been circulated to the Board members for their review. This section of NYS Route 22, from recent observations and reports from residents, have underscored the urgent need for a comprehensive traffic and safety study, potentially in collaboration with both state and county agencies. The Board felt that a coordinated approach can address several significant safety risks and enhance pedestrian and cyclist access in key areas. He agreed that Mr. Gainer’s comments be included.

Mr. Gainer said he has long thought that the development of the Castagna PDD should access Route 22 via a roundabout, as NYS DOT has supported along various state roads in the area for many years now, given the traffic volumes which may eventually result from the project.  However, reflecting on the issues identified in this proposed letter, possibly a roundabout at Fenwood Drive would be a more logical suggestion.  This would allow Castagna traffic to safely head south on Route 22 in lieu of the present arrangement, as well as accommodate Fenwood Drive traffic entering the corridor. Alternatively, the roundabout could still be constructed at the present Castagna entrance, and would serve a similar purpose.

Mr. Erickson said the roundabout can be added into the sentence which reads. Such a study would help evaluate potential improvements, such as speed control measures, traffic lights, roundabout, pedestrian friendly pathways, and a potential for a greenway connection.

The Board agreed to the additions of the “roundabout” verbiage to the letter. They acknowledge authorization for the Chairman to sign the letter.

ii. Subcommittee update on Planning Firm for the Starkdale Park Resort Project.

Chairman Cioppa explained the subcommittee interviewed four planning firms for the Starkdale Park Resort. Vice Chairman Erickson and Ms. Coleman interviewed several of the candidates.

Ms. Coleman said they interviewed the following firms:

1. DTS Provident Design Engineering LLC. Mr. Gerry Schwalbe P. E. and team
2. SLR Engineering, Landscape Architecture, and Land Surveying P.C. Mr. Chris Robbins/team
3. Nelson Pope Voorhis, Ms. Valerie Monastra and team
4. Hardesty & Hanover, Ms. Sarah Brown and team

Firms that responded who advised that they would have a Conflict of Interest and could not assist the Board in this matter:

5 CPL Engineering, Ms. Liz Axelson

6 AKRF, who has plans to present a large project in Pawling.

Ms. Coleman said their preference was to hire SLR Engineering. They have a diversified background. They are local, but have an ability to scale up for larger projects of this size. They have worked on both sides of projects.

Motion by Vice Chairman Erickson to hire SLR Engineering as the Planning firms for the Starkdale Park Resort project.

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

All were in favor and the Motion carried.

ADJOURNMENT

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

Respectfully submitted,

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JoAnne Daley

Recording Secretary

non-approved minutes